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THE POLITICAL HISTORY OF ENGLAND

Seventy-five years have passed since Lingard completed his HISTORY OF ENGLAND, *which ends with the Revolution of* 1688. *During that period historical study has made a great advance. Year after year the mass of materials for a new History of England has increased; new lights have been thrown on events and characters, and old errors have been corrected. Many notable works have been written on various periods of our history; some of them at such length as to appeal almost exclusively to professed historical students. It is believed that the time has come when the advance which has been made in the knowledge of English history as a whole should be laid before the public in a single work of fairly adequate size. Such a book should be founded on independent thought and research, but should at the same time be written with a full knowledge of the works of the best modern historians and with a desire to take advantage of their teaching wherever it appears sound.*

The vast number of authorities, printed and in manuscript, on which a History of England should be based, if it is to represent the existing state of knowledge, renders co-operation almost necessary and certainly advisable. The History, of which this volume is an instalment, is an attempt to set forth in a readable form the results at present attained by research. It will consist of twelve volumes by twelve different writers, each

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of them chosen as being specially capable of dealing with the period which he undertakes, and the editors, while leaving to each author as free a hand as possible, hope to insure a general similarity in method of treatment, so that the twelve volumes may in their contents, as well as in their outward appearance, form one History.

As its title imports, this History will primarily deal with politics, with the History of England and, after the date of the union with Scotland, Great Britain, as a state or body politic; but as the life of a nation is complex, and its condition at any given time cannot be understood without taking into account the various forces acting upon it, notices of religious matters and of intellectual, social, and economic progress will also find place in these volumes. The footnotes will, so far as is possible, be confined to references to authorities, and references will not be appended to statements which appear to be matters of common knowledge and do not call for support. Each volume will have an Appendix giving some account of the chief authorities, original and secondary, which the author has used. This account will be compiled with a view of helping students rather than of making long lists of books without any notes as to their contents or value. That the History will have faults both of its own and such as will always in some measure attend co-operative work, must be expected, but no pains have been spared to make it, so far as may be, not wholly unworthy of the greatness of its subject.

Each volume, while forming part of a complete History, will also in itself be a separate and complete book, will be sold separately, and will have its own index, and two or more maps.

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The Political History of England

IN TWELVE VOLUMES

EDITED BY WILLIAM HUNT, D.LITT., AND
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VII.

THE HISTORY OF ENGLAND

FROM THE ACCESSION OF JAMES I. TO THE RESTORATION

1603-1660

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THE HISTORY OF ENGLAND

FROM THE ACCESSION OF JAMES I. TO THE RESTORATION (1603-1660)

BY

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CONTENTS.

CHAPTER I.

The Beginning of the Reign of James I.

		PAGE
	England in 1603	1
24 March, 1603.	Accession of James I.	2
	His character and opinions	3
	His first measures	5
	The Bye Plot	7
	The Main Plot	8
17 Nov.	Trial of Sir Walter Raleigh	9
14 Jan., 1604.	The Hampton Court Conference	10
29 Feb.	Death of Archbishop Whitgift	11
19 March.	Meeting of parliament	12
	Goodwin's case	13
	The desire for reform	14
	The proposed union with Scotland	15
	The apology of the commons	16
	The privileged trading companies	17
	The king and the Roman catholics	18
	The canons of 1604	19
	Negotiations with Spain	20
19 Aug.	Treaty of peace between England and Spain	22

CHAPTER II.

The Administration of Salisbury.

	Severe treatment of the catholics	24
	The Gunpowder Plot	25
4 Nov., 1605.	Discovery of the plot	28
	Fate of the conspirators	29
	Doubts cast on the reality of the plot	30
	Laws against recusants	31
	Principle of non-resistance	32
	Financial distress of the crown	33
	Proposals for a union with Scotland	34
	Case of the *Post-nati*	35
	Bate's case	36
6 May, 1608.	Salisbury becomes lord treasurer	37

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		PAGE
9 Feb., 1610.	Re-assembling of parliament	38
	Censure of Cowell's *Interpreter*	39
	Debate on the impositions	40
	Proposed commutation of the military tenures	40
9 Feb., 1611.	Dissolution of parliament	41
2 Nov., 1610.	Death of Archbishop Bancroft	42
	Affairs of Ireland	43
	Sir Arthur Chichester, lord deputy	44
4 Sept., 1607.	The flight of the earls of Tyrone and Tyrconnel	47
	The plantation of Ulster	48
	Foundation of the colony of Virginia	49
	Affairs of Scotland	51
	James and the Kirk	52
	Foreign relations	53
	The succession of Cleves and Juliers	54

CHAPTER III.

The Rise of Carr and of Villiers.

	Arabella Stuart	56
24 May, 1612.	Death of Salisbury	57
	Francis Bacon	58
6 Nov., 1612.	Death of Prince Henry	61
	Burning of Legate and Wightman	62
	Robert Carr, the king's favourite	63
	The Essex divorce	64
	Carr is created Earl of Somerset	65
15 Sept., 1613.	The murder of Overbury	66
5 April, 1614.	Meeting of a new parliament	68
7 June.	Dissolution of the parliament	69
	Peacham's case	70
	George Villiers introduced to the king	72
	Fall of Somerset	73
5 Jan., 1617.	Villiers created Earl of Buckingham	74
	Conflict between the king and Chief Justice Coke	75
7 Jan., 1618.	Bacon becomes lord chancellor	76
Nov., 1614.	Treaty of Xanten	78
April, 1616.	Surrender of the cautionary towns	79
	Raleigh's voyage to Guiana	81
24 Oct., 1618.	Execution of Raleigh	82
	The fall of the Howards	84
	Affairs of Ireland	85
	Affairs of Scotland	87
	The declaration of sports	88

CHAPTER IV.

The Outbreak of the Thirty Years' War.

	Causes of the Thirty Years' War	89
	The Bohemian revolution	90
	Action of Frederick, Elector Palatine	91

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		PAGE
16 Aug., 1619.	Frederick is elected King of Bohemia	92
	Conquest of Bohemia by the emperor	93
30 Jan., 1621.	A new parliament	94
	Grant of two subsidies	95
	Attack on the monopolies	96
	The patents for licensing inns and alehouses	97
	Charges against the lord chancellor	98
	His confession	99
3 May.	Sentence on him by the lords	100
	Floyd's case	101
	Prorogation of parliament	102
30 Sept.	Cranfield made lord treasurer	103
20 Nov.	Re-assembling of Parliament	104
	Dispute between the king and the Commons	105
6 Jan., 1622.	Parliament dissolved	106
	The pilgrim fathers	107
	Settlement of Plymouth in New England	108

CHAPTER V.

The Close of the Reign of James I.

	Frederick loses the Palatinate	109
	The marriage treaty with Spain	110
17 Feb., 1623.	Charles and Buckingham go to Madrid	112
Sept.	Their return to England	114
	Charles insists on breaking off the match	115
	Change in foreign policy	116
19 Feb., 1624.	Meeting of a new parliament	117
	The commons desire a war with Spain	118
	The statute of monopolies	119
	The French marriage treaty	120
	Mansfeld's expedition	121
	Its failure	123
27 March, 1625.	Death of James I.	124

CHAPTER VI.

The First and Second Parliaments of Charles I.

	Accession of Charles I.	126
	The Anglo-Catholic movement	127
	Ill-will felt towards the Anglo-Catholics	129
	Political embarrassments	130
1 May.	Marriage of Charles and Henrietta Maria	131
18 June.	Meeting of parliament	132
	Ecclesiastical disputes	133
12 Aug.	Dissolution of parliament	134
	The expedition to Cadiz	135
	Failure of the expedition	136
	Differences between England and France	137
6 Feb., 1626.	A new parliament	138

Digitized by Google Original from UNIVERSITY OF CALIFORNIA

		PAGE
1626.	The commons attack Buckingham	139
	Buckingham accused by Bristol	140
	Articles of impeachment against Buckingham	141
15 June.	Dissolution of parliament	142
	War with France	143
	The expedition to Rhé	144
	Failure of the expedition	145
22 Nov., 1627.	The five knights' case	146

CHAPTER VII.

The Third Parliament of Charles I.

17 March, 1628.	Meeting of parliament	147
	A bill for redress of grievances	148
	A Petition of Right in lieu of the bill	149
	Evasive answer of the king	150
7 June.	The king assents to the Petition of Right	151
	Impeachment of Manwaring	153
26 June.	Prorogation of parliament	154
	Wentworth goes over to the king	155
23 Aug.	Murder of Buckingham	157
24 Sept.	Lindsey fails to relieve Rochelle	158
20 Jan., 1629.	Re-assembling of parliament	159
	Contests between the king and the commons	160
10 March.	Dissolution of parliament	161
	Eliot and other members imprisoned	162

CHAPTER VIII.

The Personal Government of Charles I.

1629.	Relations of king and people	164
	The ministers of the crown	165
14 April.	Peace with France	166
5 Nov., 1630.	Peace with Spain	167
	The distraint of knighthood	168
	Wentworth in the north	169
	Rising influence of Laud	170
	His temper and aims	171
Dec., 1629.	Measures taken against the lecturers	172
	Cases of Leighton and Sherfield	173
Feb., 1633.	The feoffees for impropriations	174
	The king's visit to Scotland	175
6 Aug., 1633.	Laud, Archbishop of Canterbury	176
Oct., 1634.	The first writ of ship-money	178
	The enlargement of the forests	179
4 Aug., 1635.	The second writ of ship-money	181
Oct., 1636.	The third writ of ship-money	182
	Hampden's case	183

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CHAPTER IX.

THE PERSONAL GOVERNMENT OF CHARLES I. (*continued*).

		PAGE
1633.	Measures of Archbishop Laud	185
	Prynne's *Histriomastix*	186
1634.	The metropolitical visitation	187
June, 1637.	Prynne, Burton, and Bastwick sentenced for libel	189
	Disgrace of Bishop Williams	190
	Charles and the Roman catholics	191
1615-1629.	St. John and Falkland in Ireland	193
	The "Graces"	194
July, 1633.	Wentworth in Ireland	195
July, 1635.	The Connaught plantation	196
	The Church in Ireland	197
Dec., 12.	Case of Lord Mountnorris	198
	The policy of "Thorough"	199
	Culmination of personal government	201

CHAPTER X.

THE SCOTTISH NATIONAL COVENANT AND THE SHORT PARLIAMENT.

	Peculiar conditions of Scotland	203
1636.	The new Service Book	204
23 July, 1637.	The Edinburgh riots	205
26 Feb., 1638.	The National Covenant	207
	Mission of the Marquis of Hamilton	208
28 Nov.	His failure	209
	Military preparations	210
	The first Bishops' War	211
18 June, 1639.	Treaty of Berwick	213
	Abolition of episcopacy in Scotland	214
13 April, 1640.	Meeting of the English parliament	215
	Grievances of the commons	216
	Demand for twelve subsidies	217
5 May.	Dissolution of parliament	218
	Convocation and the "etcetera oath"	220
	The second Bishops' War	221
20 Aug.	The Scots invade England	222
28 Aug.	The rout of Newburn	223
	Petition of the twelve peers for a parliament	223
24 Sept.	The great council at York	224
21 Oct.	The treaty of Ripon	225

CHAPTER XI.

THE FIRST SESSION OF THE LONG PARLIAMENT.

3 Nov., 1640.	Temper of the parliament	226
	The impeachment of Strafford	228
	Attack on the other advisers of the crown	229
	Parliament and the Church	230

Digitized by Google Original from UNIVERSITY OF CALIFORNIA

		PAGE
1640.	Parliament and the armies	232
16 Feb., 1641.	The triennial act	233
	The charges against Strafford	234
	The army plots	237
10 April.	Bill of attainder against Strafford	238
1 May.	The king's attempt to save him	239
	The bill of attainder passed	240
12 May.	Execution of Strafford	241
	Suppression of the Star Chamber, etc.	242
	Bill to remove the bishops from the house of lords	243
	The root and branch bill	243
	Differences of opinion in the commons	244
	Act to abolish the court of high commission	245
	The ten propositions	246
10 Aug.	The king goes to Scotland	247
9 Sept.	Adjournment of the houses	248

CHAPTER XII.

The Preliminaries of the Civil War.

1641.	Charles in Scotland	249
20 Oct.	Re-assembling of the English parliament	250
	Causes of the Irish rebellion	251
	The Ulster massacres	253
	Effect on English politics	254
22 Nov.	The Grand Remonstrance	255
	Charles returns to London	257
	Cavaliers and Roundheads	258
3 Jan., 1642.	The impeachment of the five members	259
4 Jan.	The king's visit to the house of commons	260
	Significance of the king's action	261
9 Jan.	The king and the queen leave London	263
	Preparations for a civil war	263
23 Feb.	The queen leaves England	264
19 March.	Charles at York	265
	Growth of the royalist party	266
2 June.	The nineteen propositions	267
22 Aug.	The king raises his standard at Nottingham	268

CHAPTER XIII.

The First Period of the Civil War.

1642.	Composition of the parties	269
	Resources of the belligerents	270
	Importance of cavalry in the seventeenth century	272
	The command of the sea	273
20 Sept.	Charles at Shrewsbury	274
23 Oct.	The battle of Edgehill	275
	The king's advance on London	276
	Events in the north and west	277

Digitized by Google Original from UNIVERSITY OF CALIFORNIA

		PAGE
1643.	The treaty of Oxford	278
	Royalist victories	279
18 June.	Death of Hampden	280
	The royalists masters of the north	281
5 July.	Battle of Lansdown	282
26 July.	Bristol taken by Rupert	283
	The monthly assessments and the excise	284
	Charles besieges Gloucester	285
20 Sept.	First battle of Newbury	286
	Progress of the Irish rebellion	287
15 Sept.	The cessation of arms in Ireland	288
	The parliament and the Scots	289
25 Sept.	The Solemn League and Covenant	290
	Successes gained by the parliament	291
8 Dec.	Death of Pym	292

CHAPTER XIV.

The Second Period of the Civil War.

22 Jan., 1644.	The Oxford parliament	293
	The Scottish army enters England	294
	Royalist reverses in the north	295
	Battle of Cropredy Bridge	296
1 July.	Rupert relieves York	297
2 July.	Battle of Marston Moor	298
16 July.	Surrender of York	299
31 Aug.	The surrender at Lostwithiel	300
27 Oct.	Second battle of Newbury	302
	Dissensions among the parliamentarians	303
	The new model	304
	The first self-denying ordinance	305
	Attainder and execution of Laud	306
3 April, 1645.	The second self-denying ordinance	307
	The king's preparations	308
	His march northwards	309
14 June.	Battle of Naseby	310
11 Sept.	Fairfax takes Bristol	312
24 Sept.	Battle of Rowton Heath	313
	Victories of Montrose	314
13 Sept.	His overthrow at Philiphaugh	316
25 Aug.	The Glamorgan treaty	317
16 Feb., 1646.	Battle of Torrington	319
	The king's hopes of succour	320
26 April.	He goes to the Scottish army	321

CHAPTER XV.

The Second Civil War and the Execution of Charles I.

1646.	Injuries inflicted by the civil war	322
	Conflict of opinions	323
Aug.	The propositions of Newcastle	324

Digitized by Google Original from UNIVERSITY OF CALIFORNIA

		PAGE
3 Feb., 1647.	The king delivered to the parliament	325
5 June, 1646.	Victory of the Irish at Benburb	326
	Differences between the parliament and the army	327
3 June, 1647.	Cornet Joyce at Holmby	328
	Cromwell as a political leader	329
15 June.	The declaration of the army	330
	The heads of the proposals	331
6 Aug.	The presbyterians quelled by the army	332
	Rise of the levellers	333
11 Nov.	The king's flight from Hampton Court	334
26 Dec.	The king signs the engagement	335
	The vote of no addresses	336
22 Feb., 1648.	A rising in Wales	337
21 May.	A rising in Kent	338
8 July.	Hamilton's invasion of England	339
25 Aug.	Hamilton's surrender at Uttoxeter	340
	End of the civil war in the south of England	341
	Events in Ireland	342
	The treaty of Newport	343
	The army and the king	344
6 Dec.	Pride's Purge	345
6 Jan., 1649.	The high court of justice	346
20 Jan.	The king's trial	347
30 Jan.	Execution of the king	350

CHAPTER XVI.

THE ESTABLISHMENT OF THE COMMONWEALTH.

19 May, 1649.	England declared a free commonwealth	353
	State of parties	354
	The mutiny of the levellers	355
	Affairs of Ireland	356
	Affairs of Scotland	357
27 May.	Charles II. refuses the Scottish terms	358
	Foreign relations	359
2 Aug.	Battle of Rathmines	360
	Cromwell in Ireland	361
	He storms Drogheda and Wexford	362
	English rising in Munster	363
9 May, 1650.	Cromwell repulsed at Clonmel	364
	He leaves Ireland	365
1 May.	Charles II. agrees to the Scottish terms	366
	The last expedition of Montrose	367
23 June.	Charles in Scotland	368
22 July.	Cromwell invades Scotland	369
	Operations round Edinburgh	370
3 Sept.	Battle of Dunbar	371
	Charles regains his independence	372
	Charles invades England	373
3 Sept., 1651.	Battle of Worcester	374

Digitized by Google Original from UNIVERSITY OF CALIFORNIA

		PAGE
16 Oct., 1651.	Charles escapes to France	375
	Subjugation of Scotland	376
May, 1652.	End of the war in Ireland	377
	Naval operations	378
	The American colonies	379
	Submission of the royalists in Barbados and Virginia	380

CHAPTER XVII.

The Establishment of the Protectorate.

	A dissolution of parliament desired	381
Feb., 1652.	The act of oblivion	382
	Restraints on the press	383
	Puritan austerity	384
	The committee for the propagation of the Gospel	385
	The reform of the law	386
	Relations with France and Spain	387
	Differences between England and Holland	389
Oct., 1651.	The navigation act	390
18 May, 1652.	Blake and Tromp	391
	Disadvantages of the Dutch	392
30 Nov.	Battle of Dungeness	393
Feb., 1653.	Battle of Portland	394
	Growing disaffection of the army	395
	The bill for elections	396
20 April.	Cromwell expels the parliament	397
4 July.	The meeting of the little parliament	399
	Proceedings of the little parliament	400
	Its unpopularity	401
12 Dec.	End of the little parliament	402
	The instrument of government	403
16 Dec.	Cromwell's inauguration as protector	405
30 July, 1653.	Battle of the Texel	406

CHAPTER XVIII.

The First Period of the Protectorate.

	Early life of Oliver Cromwell	408
1653-4.	His legislation as protector	410
	Extent of Cromwell's tolerance	411
	The Quakers and the Jews	412
	Glencairn's rebellion	413
	Cromwell's rule in Scotland	415
	The settlement of Ireland	415
1654-5.	The transplantation to Connaught	416
	Failure of the project	417
	Miserable condition of Ireland	418
5 April, 1654.	Peace between England and Holland	419
	Cromwell's scheme for a protestant league	420

Digitized by Google Original from UNIVERSITY OF CALIFORNIA

		PAGE
10 July, 1654.	The treaty with Portugal	421
	Cromwell's relations with France and Spain	422
	Conspiracy of Gerard and Vowell	423
3 Sept.	The first parliament of the protectorate	424
11 Sept.	The irreconcilable republicans excluded	425
22 Jan., 1655.	Dissolution of the parliament	426
12 March.	Insurrection of Grove and Penruddock	428
	Establishment of the major-generals	430
Dec. 1654.	The West Indian expedition	431
May, 1655.	Conquest of Jamaica	432
	Blake in the Mediterranean	433
	The persecution of the Waldenses	434
24 Oct.	Treaty between England and France	435
	Conquests of Charles X. of Sweden	436

CHAPTER XIX.

The Second Period of the Protectorate.

1656.	Naval operations against Spain	437
9 Sept.	Destruction of the Plate fleet	438
2 April.	Treaty between Charles II. and Philip IV.	439
17 Sept.	The second parliament of the protectorate	440
	The republican members again excluded	441
	Proposal to make the protectorship hereditary	442
	The case of James Naylor	443
23 Feb., 1657.	The address and remonstrance	444
	A humble petition and advice	446
8 May.	Cromwell declines the kingly office	447
25 May.	He accepts the amended petition and advice	448
20 April.	Battle of Santa Cruz	449
23 March.	Alliance between England and France	450
23 Sept.	Mardyke taken	451
	Cromwell forms his house of lords	452
20 Jan., 1658.	Second session of the parliament	453
4 Feb.	An abrupt dissolution	454
4 June.	Battle of the Dunes	455
14 June.	Dunkirk taken	456
	Strength of the protectorate	457
3 Sept.	Death of Cromwell	459

CHAPTER XX.

Anarchy and Reaction.

	Richard Cromwell becomes protector	463
27 Jan., 1659.	A new parliament	464
	The republicans cabal with the army	465
21 April.	The army enforces a dissolution	466
7 May.	Restoration of the long parliament	467
	Change in foreign policy	468

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		PAGE
	Insurrection of Sir George Booth	469
13 Oct.	Second expulsion of the long parliament	471
	Monk's action	472
26 Dec.	The army restores the parliament	474
3 Feb., 1660.	Monk in London	475
21 Feb.	He restores the secluded members	476
16 March.	The parliament dissolves itself	477
	The declaration from Breda	478
25 April.	Meeting of the convention parliament	479
8 May.	Charles proclaimed king	480
29 May.	He enters London	481

APPENDIX.

On Authorities.

State papers	483
Parliament and parliamentary proceedings	484
Contemporary historians	485
Contemporary lives	486
Autobiographies, memoirs, diaries, etc.	487
Pamphlets and newspapers	488
Foreign affairs	489
Military history	490
Modern historians	491
Scottish history	492
Ireland	493

MAPS.

(At the End of the Volume.)

1. England and Wales to illustrate the Civil War.
2. Scotland to illustrate the distribution of Highland Clans and the Campaigns of Montrose and Cromwell.
3. Ireland to illustrate the Rebellion of 1641 and the Campaigns of Cromwell.

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CHAPTER I.

THE BEGINNING OF THE REIGN OF JAMES I.

ELIZABETH left to her successor a kingdom in most respects unlike that which she had received from Mary. The English people had passed through the great religious crisis and had maintained its peculiar reformation against all attacks from within or without. It had waged successful war against the mightiest of European kings. It had recruited its industry with thousands of the most skilful artisans of the continent and had carried its commerce to the extremities of the earth. It had gained by the decline of Italy, Germany, and Flanders, and had only one rival in enterprise, the new republic of the United Netherlands. The common people enjoyed more abundance and lighter taxation than in any other country of equal extent. The nobility and gentry displayed a magnificence in their mansions, dress, and entertainments surpassing all that had yet been known in England. Elizabeth had effected, although at a fearful cost in human misery, the thorough subjection of Ireland. The new monarch united Scotland with its ancient rival. The British Isles at length formed a single great monarchy, defended by the sea against all attack from without. The two most vigorous continental states, France under Henry IV. and the Dutch republic, were allies of the English crown. Holding the balance of Europe, England had all the consequence abroad that reasonable Englishmen could wish. At home everything seemed to promise a long period of quiet.

James VI. of Scotland was in his thirty-seventh year at the death of Elizabeth. As his mother had been deposed a few months after his birth, his reign was nearly co-equal with his

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CHAP. I.

life, and at the age of eighteen he became sovereign in fact as well as in name. He married in 1589 Anne, daughter of Frederick II. of Denmark. He had steadily pursued two objects. The first was to make himself absolute in Scotland. By balancing the catholics against the protestants, and the ministers against the nobles, he had succeeded at least so far that he was more nearly master than any of his predecessors. The second object was to ensure his succession to England when Elizabeth should die. For this he had by turns supported Elizabeth and intrigued with her enemies, the pope and the King of Spain. For this he had shown himself at one time zealous in the protestant cause, at another time open to catholic argument. In order to further the same ambition he had tried to lessen the difference between the Scottish and the English Churches. Although he cannot be said to have approved himself a great king, he had displayed astuteness and energy enough to justify the opinion that he would be successful in ruling England, and that the ample power which he received from the last Tudor would not be impaired under his government. It proved otherwise. Throughout the reign of James, partly in consequence of his own failings, partly through the change in political conditions, the strength and the majesty of the crown were always dwindling.

The character of James is difficult to trace. He combined some respectable qualities with many grotesque foibles. He was on the whole a well-meaning ruler who desired to use his power for the good of his subjects. He was not a man of blood; he strove to preserve peace; he seldom knowingly perverted justice. Although he had no grasp on the principle of toleration, he was not naturally a persecutor, but inclined to overlook differences of opinion so long as his prerogative was not questioned. On the other hand, he was indolent, weak, and thriftless. Like most men who are vain of their wisdom and jealous of their authority, he was easily led by all who knew how to flatter and amuse him. He was not sensitive to female charms, but any youth who was comely and gracious might hope to sway his councils. The extreme penury of the crown of Scotland, instead of teaching him thrift, had led him to regard England as a country of inexhaustible riches where economy would be needless. Worst of all, James was wanting in the kingly virtues of self-respect and courage. As he had never

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known his mother and had been made king by her enemies, he could not have been expected to feel much for her, but his relations with Elizabeth at the time of her trial are disgusting in their meanness. Some of his utterances to the privy council and to Gondomar are almost incredible in their abject want of dignity. His cowardice took away some of the merit and much of the honour due to his love of peace. His grotesque appearance, his rickety walk, his rolling eyes, his tongue too large for his mouth, although mere outward blemishes, gave a peculiar emphasis to all that was unkingly and unmanly in his character. CHAP. I.

His natural abilities have sometimes been unduly disparaged. His mind was acute and argumentative. He was keen to see, and humorous in exposing, the weakness of an adversary's position. He had a ready command of speech, sometimes rising into eloquence. His career in Scotland proves that his talent was not merely literary, and that he was a shrewd and resourceful politician. But, whatever his abilities may have been, his mind had ceased to grow when he came to England, and the experience which he had gained in Scotland was oftener a hindrance than a help to his government. He remained to the last a foreigner who never really understood the English character or English institutions. This would have mattered less had he entrusted himself to sagacious Englishmen who might govern in his name. But James was of all princes the least apt to make such an avowal of his ignorance. As he had a stock of literature most unusual among sovereigns, he was immeasurably vain of his learning and unwearied in preaching his favourite doctrines, whether political or religious. With the dangerous gift of stating his principles in a general and logical form he had the pedantic bad manners which exasperate to contradiction. He was peculiarly fitted to raise every dangerous question and settle none.

His political doctrine is most clearly stated in his tract, entitled *The True Law of Free Monarchies*. A free monarchy, the only real monarchy, differs from elective kingship or the authority of any republican magistrate, however exalted. A monarch in the proper sense is created by God and accountable to God only. He is above the law, as both its author and the giver of strength thereto. All other authorities in the state derive their power from him, and owe him absolute obedience,

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CHAP. I.

A good king, indeed, acknowledges himself ordained for the people, and only a tyrant thinks his people ordained for himself. But the rebel is always a wicked man. He cannot be justified by appeal to an original compact between king and people, for no man can be judge in his own cause. Nor can he be justified by alleging duty to the commonwealth, for a bad king is not so bad as anarchy, and in any case evil is not to be done that good may follow. Nor may the success of the rebel be taken to imply God's approval, since he is but the scourge of a wicked king, afterwards to be cast into the fire. By patience, prayer, and the amendment of their lives men may prevail with God to remove the curse of tyranny, and these are the only lawful means of deliverance. Such were the maxims which James loved to impress upon his subjects, but most of all upon his heir.

The theory of the state held by James determined his theory of Church government. James might allow some latitude in points of doctrine and of worship; but he could not acknowledge any independence in the clergy, still less any claim of the clergy to give laws to the secular ruler. Hence his enmity to the Roman catholics on the one side and on the other to the puritans. The Roman Catholic Church claimed to direct, to judge, and even to depose monarchs. Andrew Melville, when moderator of the general assembly, told James that he was but "God's silly vassal," and in Christ's kingdom neither king nor head nor lord, but only a member. James abhorred both positions. For him the true relation between Church and State was that which he found in England, where there were bishops appointed and controlled by the crown and controlling the inferior clergy by whom the people were instructed. In his *Premonition to Monarchs* he tried to alarm his brother sovereigns respecting the papal claim of supreme authority. He denounced Bellarmine's doctrine that kings are made by the people and may in certain cases be dethroned by them. Bellarmine, he said, "hath made the people and subjects of every one of us our superiors". Bellarmine would make all kings the subjects of the pope. In the *Basilicon Doron* he warned his son against the opposite evil of equality in the Church. The Scottish ministers at the time of the reformation, he observed, were so possessed with an imagined democracy, that they fed themselves with the hope of becoming the tribunes of the people. Parity

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CHAP. I.

is the mother of confusion, and enemy to unity which is the mother of order. James, in short, was an Erastian. Whether or no he believed government by bishops to be a divine ordinance, he believed it to be the only Church government compatible with monarchy.

The death of Elizabeth had taken unawares that part of the nation which for various reasons disliked a Scottish successor, and James was instantly proclaimed king without any show of resistance. Within three days the news was brought to Edinburgh, and on April 5 James set out for England. During his progress southwards he was so beset with men of rank eager to forestall each other in his good graces that he thought fit to issue a proclamation forbidding their approach. Even at this early time his manner, at once unkingly and ungenial, somewhat abated the fervour of his new subjects. He startled the English respect for legal forms by ordering a thief taken at Newark to be hanged without trial, and alarmed English patriotism by the number of his countrymen whom he brought in his train. On May 3, he reached Theobalds in Hertfordshire, the stately house of Sir Robert Cecil, where he began to reward his friends and choose his confidants. He ordered the release of the Earl of Southampton and the other accomplices of Essex. But he wisely refrained from making any serious change in the privy council or in the most important offices. The ablest of the ministers, Sir Robert Cecil, secretary of state, who had already won his entire confidence, he created Baron Cecil of Essendon. He raised the lord keeper, Egerton, to be chancellor and Baron Ellesmere. He rewarded the Howards for their support by restoring the earldoms of Arundel and Surrey to young Thomas Howard, Lord Maltravers, son of Earl Philip who was attainted in 1589; by raising Thomas Howard, second son of the late Duke of Norfolk, to be Earl of Suffolk, and by conferring the rank of privy councillor on his uncle, Lord Henry Howard, who was created in the following year Earl of Northampton. Places in the household he mostly reserved for his Scottish courtiers, and mere knighthood he lavished on Scots and English alike until the dignity became almost ridiculous.

The Howards remained for many years the most powerful family in England, but none of them had ability equal to the

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CHAP. I.

function of chief minister. That place was from the first occupied by Robert Cecil, second son of the great Lord Burghley. Cecil was about forty years of age. Early apprenticed to public life, he had become secretary in 1596, and on his father's death succeeded to much of his father's authority. Inferior in capacity, he was yet a man of the same type; sedate, prudent, laborious, an excellent administrator, a dignified speaker, living for public affairs while not careless of his own interest. Although he received a pension from Spain, as did several statesmen of the time, it cannot be shown that he gave Spain anything in return; and although he grew rich in office, he does not appear to have soiled his hands with any gain which was then held to be illicit. He was, indeed, too cold and self-centred to inspire warm friendship. Nor did he inherit with so many other gifts that large sagacity which had sometimes raised his father above the merely official view of grave questions. For this very reason he was all the more assured of his master's favour; for James, in the abounding sense of his own wisdom, wanted but a minister who was equal to business and left him to choose a policy.

On taking possession of his new kingdom James had to decide whether he would continue the war with Spain, and whether he would abide by the severe ecclesiastical policy of Elizabeth. From the first he betrayed his eagerness to end the war. Sir Walter Raleigh, its most eager advocate, lost more than any other Englishman by the change of sovereigns. In quick succession he was deprived of his captaincy of the guard, his wardenship of the Stannaries, his patent for licensing taverns, his government of Jersey, and his tenancy of Durham House. Hostilities with Spain were suspended at the earliest possible moment. Rosny, the most trusted councillor of Henry IV., coming on a special embassy to get help for the Dutch from the King of England, was civilly received, but found little encouragement. The persecuted had conceived high hopes of the new monarch. The puritans felt assured that James, who had been taught from infancy by ministers of the Scotch kirk, would show lenity to Calvinists. A petition for certain changes in ritual and discipline, expressing, it was said, the desires of 1,000 puritan clergymen, and hence known as the Millenary Petition, was offered to James on his way to London. The catholics hoped

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CHAP. I.

for much from the son of Queen Mary, who had sometimes made as though he were himself willing to be received into the bosom of the true Church. But puritans and catholics alike were disappointed. James was bent on subduing the puritans as obstacles to the absolute power of the crown. He did not want to torment the catholics, but he meant to keep them at his discretion, and he could not afford to forego the recusancy fines, which were exacted as heretofore.

In these circumstances two plots were formed against the new king, the Main and the Bye. The Bye Plot, so called to mark its slighter consequence, had for its author a Roman catholic priest named William Watson. After gaining favourable assurances from the king, Watson was enraged to learn that the recusancy fines would be strictly levied. He conspired with William Clarke, another priest, and they drew in Anthony Copley, son of Sir Thomas Copley of Gatton, Sir Griffin Markham, George Brooke, brother of Lord Cobham, and Lord Grey of Wilton. Brooke was a protestant with personal griefs against James. Grey was a puritan, moved partly by the hope of obtaining freedom for his brethren, partly by hatred of the Earl of Southampton, now high in the royal favour. Following a method familiar and approved in Scotland, the conspirators meant to seize their sovereign and extort his consent to whatever they should ask. They were to muster their followers under pretence of offering a petition to the king. Greenwich was to be the place and June 24 the day. But the plot having been disclosed to John Gerard, a Jesuit, he passed on the information to his provincial, Henry Garnet, by whom it was imparted to the privy council, for the Jesuits were on the worst terms with the secular priests. Still earlier information had been given to the Bishop of London by an imprisoned priest named Barnby. The king quitted Greenwich on the very day chosen, and the petitioners who came up were too few to attempt a rising. Soon all the ringleaders were prisoners. In gratitude James promised to a catholic deputation that the recusancy fines should not be exacted.

The other plot, the Main, appeared at least more formidable. The prospect of a Scottish king had been displeasing to many Englishmen, and some would have preferred Arabella Stuart, great-grand-daughter of Margaret Tudor and her second hus-

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CHAP. I.

band, the Earl of Angus, as Elizabeth's successor. The catholics would gladly have seen Elizabeth succeeded by a catholic or at least by some one pledged to toleration. The Spanish government, helpless to enforce the claim of the Infanta Isabella, would have favoured even a protestant heir thus pledged. James had been prepared to look for secret opposition. When Watson's plot had been revealed, Brooke's part in it drew suspicion upon his brother Cobham. Some of Watson's accomplices believed that Cobham had plotted with Raleigh to dethrone the king. Raleigh had long been noted by Robert Cecil and Henry Howard as a disaffected and dangerous person. He was summoned before the council and questioned as to Cobham's conduct. Somewhat later and of his own accord Raleigh wrote a letter to Cecil accusing Cobham of intrigues with the Count of Aremberg, who represented in England the Archduke Albert and his wife, the Infanta Isabella, rulers of the Spanish Netherlands. Cobham was then arrested, and a few days afterwards Raleigh followed him to the Tower.

Raleigh wrote another letter to Cobham to the effect that he had cleared Cobham in his examination before the council, and either Raleigh or his messenger added the remark that one witness was not enough to convict on a charge of treason. The letter came into the hands of the council and necessarily deepened the suspicion against Raleigh. Cobham, when he saw the letter which Raleigh had written to Cecil, fell into a rage and declared that whatever had been done amiss had been prompted by Raleigh. Cobham presently retracted this statement, but Raleigh prejudiced his own case still more by an attempt to commit suicide. He was himself examined several times, but we do not possess his answers. After Brooke and other persons concerned in the Bye had been repeatedly examined, the council thought that it had matter enough to prove Raleigh's guilt; and as the plague had caused the removal of the courts of law to Winchester, Raleigh was sent thither to take his trial. So much hated was Raleigh at this time that he was in danger of his life from the mob when passing through London.

On November 17, Raleigh appeared before a commission which included Secretary Cecil, Lord Chief Justice Popham, and other judges, lords, and gentlemen. Sir Edward Coke, the

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CHAP. I.

attorney-general, prosecuted in a spirit too common then, however revolting it may seem now. He spared no term of reviling. The prisoner was an odious fellow, a monster, a viper, a traitor, an atheist. Raleigh defended himself with a courage and acuteness which even in him raised surprise and turned the sympathy of the public, though they could not change the event of the trial. The only weighty evidence against him was Cobham's confession. Raleigh produced a letter from Cobham owning that he had lied, but the attorney-general had in reserve another letter in which Cobham disavowed his recantation and went back to his first story. Raleigh prayed in vain that he might be confronted with Cobham. The remaining evidence was mostly hearsay, the attorney-general going so far as to put in the deposition of one Dyer, a pilot, who at Lisbon had heard a Portuguese gentleman say that James would never be crowned, for Don Raleigh and Don Cobham would cut his throat ere that day came. A trial thus conducted left the prisoner no hope. Raleigh was found guilty of high treason and received sentence of death.

The commoners accused of taking part in the Bye had already been convicted, and Cobham and Grey were found guilty by the peers the day after Raleigh's trial. Watson and Clarke were executed with all the cruelty which the sentence for treason made possible. Brooke suffered a few days later. The king did not intend that the remaining prisoners should die, but he wished to learn all that the presence of death could move them to say. Warrants were therefore issued for the execution of Cobham, Grey, and Markham, and on December 10 they were brought out to the scaffold. When each had made what he deemed his dying speech, he was removed to separate confinement and was told that he had been reprieved. Grey declared that he had withdrawn from the Bye as soon as he understood its real purpose. Cobham persisted in his charge against Raleigh without any attempt to explain his self-contradiction. Raleigh, whose execution had been fixed for a later day, was also granted a reprieve. All three were carried back to London and placed in the Tower, where they learnt that their lives would be spared. The other criminals were banished the kingdom. Cobham and Grey died in prison. Raleigh was to come forth many years later but only to fulfil his tragic

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CHAP. I.

destiny. It is probable that Raleigh had been adverse to the succession of James and would have wished to see Arabella queen, but improbable that he conspired against James when once on the throne.[1]

The passion for unravelling obscure plots and the interest attaching to a man so remarkable as Raleigh have given the Main a celebrity out of all proportion to its consequence. How the king would treat the differences in the Church was of far graver moment to the public. Although the puritans were a small part of the nation, they were numerous in that middle class which was daily gaining in vigour and independence, and they had all the power which comes of being serious as well as of being narrow. As yet the breach between them and the rulers of the Church was not irreparable. Many of the bishops were Calvinistic in doctrine and the puritans did not yet reject episcopacy as contrary to the word of God. Puritanism was still rather a tendency than a creed, and the wisest servants of the crown were most disposed to treat the puritans with lenity. Lord Burghley had blamed the inquisitorial demands made on them in 1583. Bacon still ventured to plead for tolerance in matters not essential to the faith. But on this subject James was even less disposed to take advice than on any other. He was fully resolved to uphold the bishops with his power, but he probably hoped to overawe the puritans with his learning. He therefore gave orders for a conference where both parties should state their views to him as president, and he should decide their differences. Had he known as much of human nature as of school divinity, he would have known that theological disputes are only inflamed by debates between theologians.

The conference opened at Hampton Court on January 14, 1604. Authority was represented by the Archbishop of Canterbury, eight bishops, five deans, and two other clergymen. The puritans were represented by Reynolds, Dean of Lincoln, Sparke, Knewstubs, and Chaderton. The parties did not meet on an equal footing and the puritans were excluded during the first day while the king was recommending certain changes to the bishops. On the second day the puritans were admitted to state their grievances and their desires, Reynolds usually acting

[1] Martin A. S. Hume, *Sir Walter Raleigh*, ch. xii.

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as spokesman. They asked for certain changes in the articles and for the addition to them of the so-called Lambeth Articles of 1595 which would have added to the old burdens upon conscience the weight of a Calvinistic formula regarding grace and predestination. They dwelt on the familiar objections to certain ceremonies. They enforced the need of a learned and a preaching ministry, and they desired a new and more correct version of the Scriptures. The tone of the bishops, especially of Bancroft, Bishop of London, was not always marked by temper or charity; but James for a while maintained his dignity as president, although he did not hide his feelings, and said frankly: "It is my aphorism, no bishop, no king". At length, Reynolds proposed the revival of prophesyings with a reference of disputed points to the bishop with his presbyters. That word was enough to drive the king out of all patience. "If you aim at a Scottish presbytery," he broke forth, "it agreeth as well with monarchy as God and the devil. Then Jack and Tom and Will and Dick shall meet and censure me and my council and all our proceedings. Then Will shall stand up and say, It must be thus; then Dick shall reply, and say, Nay, marry, but we will have it thus." Not even at the end did he regain his temper. "If this be all that they have to say," were his last words, "I shall make them conform themselves, or I will harry them out of the land, or else do worse." CHAP. I.

At a final sitting of the king and the bishops it was resolved to make a few slight changes in the Book of Common Prayer, and to appoint commissions of inquiry how best to obtain a preaching clergy. Nothing more was granted to puritan feeling. Subscription to the whole of the Prayer Book and the Articles was to be enforced. Thenceforward the puritans knew that the bishops would have the full support of the crown as in the reign of Elizabeth. The death of Archbishop Whitgift on February 29, did not modify the policy of the bishops. The Hampton Court conference failed to restore harmony in the Church of England, but it enriched English literature. For the king was led by his love of learning to grant the request for a new translation of the Bible; and to his care we owe what is known as the authorised version which appeared in 1612.

The king issued his proclamation for a new parliament in January. Among other injunctions he bade the people choose

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CHAP. I.

no bankrupts or outlaws, but men of known good behaviour and sufficient livelihood. All returns of elections were to be made to the chancery, and, if they were found not to conform to the proclamation, were to be rejected as unlawful. Although the elections were uneventful, the first meeting of the new sovereign with the estates of the realm could not but fix expectation. Never had there been so many members attending in their places on the first day of the session as when parliament assembled on March 19. The king's speech was not without dignity. He congratulated his people on the blessings which he had brought in his train, peace and the union of England and Scotland. He explained his policy with regard to differences in religion. The puritans could not be suffered in the commonwealth, because they were ever discontented with the present government and unwilling to submit to any form of authority. The papists he wished to treat with mildness, especially those laymen who would quietly obey the government. Their clergy could not be tolerated so long as they asserted the pope's civil jurisdiction over sovereigns. Nor would he allow the papists to make converts and increase until they became dangerous. While he promised always to prefer the common advantage in making good laws to his private ends, he said nothing which implied a wish to know more about the thoughts and feelings of his new subjects or readiness to yield anything in cases where their wishes might differ from his own.

In the house of commons there was scarcely any one entitled to claim even the informal and precarious leadership which alone was possible at that time. Yet from the first the house showed no want of decision. It immediately took into consideration two cases of privilege. After some delay and trouble it enforced the release from the Fleet of Sir Thomas Shirley, member for Steyning, who had been arrested for a private debt. Sir Francis Goodwin, though an outlaw, had been chosen by the county of Buckingham in preference to Sir John Fortescue, a privy councillor. When the return was made, the court of chancery declared the election void, and in a second election Fortescue was returned, Goodwin, who was not ambitious to defy the crown, himself soliciting the freeholders in his favour. But the house claimed cognisance of the matter and, after hearing Goodwin at the bar, bade him take his seat. Then, by the king's

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desire, the lords sent to ask the commons for information; and the commons, after some demur, agreed to a conference, in which they set forth their reasons for acting as they had done. The king in person urged that outlaws were not eligible and that returns ought to be made into chancery. Since the commons derived all their privileges from his grant, they should not turn those privileges against himself. Finally he asked them to confer with the judges.

In order to show their dutiful temper, the commons adopted a bill to disqualify outlaws for the future, but in order to assert their privileges, they chose a committee to draw up a reply which they requested the lords to lay before the king. In this reply they maintained their right to determine returns of elections, and refused to confer with the judges. The king, after pressing some time longer for such a conference, gave way, acknowledged the jurisdiction of the house of commons, and merely asked that Fortescue and Goodwin might both be set aside and a new election held. Content with having established a principle, the house yielded to the king's wish and the dispute ended. The principle was indeed essential to the independence of the commons. That the house had always been the judge of disputed returns was not exactly true, and that the house was not a faultless tribunal for such causes is clear. In after times the trial of an election petition by the whole house became a mere test of party strength, conducted almost without a pretence of fairness. But in the seventeenth century any other tribunal would have been worse. To refer a disputed election to the court of chancery or any other court wholly dependent on the king's will, was to afford the king a sure means of packing the house. James had enlarged the scope of the debate by asserting that the privileges of the house should not be used against him, because they were his grant. The claim was logical if his conception of kingship was valid, but for that very reason the claim could not be allowed, if parliament were to exist otherwise than on sufferance. On this occasion, however, the king's good nature or his love of quiet averted the conflict which his theories had provoked, and both parties had reason to be satisfied with the issue of Goodwin's case.

Other controversies followed. The mixture of fear and affection which Elizabeth inspired had withheld parliament from

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CHAP. I.

touching grievances which were more and more acutely felt in the general progress of society. The reforming spirit of the new house of commons might have been a means of popularity and power to a king who understood how to guide it; but to James it proved an irritation and an embarrassment. The royal right of purveyance, the right of the king's officers to take supplies and transport for the king's household at more or less arbitrary rates, had from remote times been the cause of much oppression, which a long series of statutes, from Magna Carta downwards, had sought with little success to render impossible. The commons drafted a bill declaring the abuses of purveyance illegal, and at the same time a petition explaining their case to the king. In the house of lords Cecil moved for a conference with the commons on this subject. When the conference was held, the representatives of the commons insisted that the king was not entitled to any compensation for putting down abuses so often forbidden by law. The representatives of the lords, hinting that the king was in want of money, proposed to offer him an annual revenue of £50,000 in lieu of the right of purveyance itself, adding the curious argument that, as there were many penal statutes which the king did not enforce, he might fairly expect some indulgence in return.

Another grievance was the survival of tenure in chivalry long after war had ceased to be waged with feudal levies. With the military tenures remained the oppressive rights of the crown over its tenants. On the death of a tenant in chivalry his heir under age became the king's ward. If he left an heiress, she could not marry without the king's consent. The administration of the court of wards was so bad as to inflict heavy loss on the estates entrusted to its care, and the royal power over the marriage of heiresses made them the prey of men who had influence with the king. The extinction of the military tenures in return for a fixed money revenue fully equal to all that the crown derived from them would have been an unspeakable boon to the military tenants, and a gain to the whole community. Early in the session, therefore, the commons asked the lords to join with them in a petition to the king for relief. As the lords were among those who suffered most by the continuance of the military tenures, they agreed to do so, but when the commons some time afterwards proposed to settle upon the king in return

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for the extinction of his feudal rights a larger revenue than he had ever derived from them, and to pension the officers of the court of wards, the lords drew back and advised that nothing more should be done until the following session. They counselled thus in fear, for several circumstances had wrought up the king to high displeasure. CHAP. I.

The king's desire for an entire and immediate union of England with Scotland had found no response in the lower house, where the old national grudge was refreshed by his profuse bounty to his countrymen. When it was proposed that James should take the style of King of Great Britain, the commons held that some understanding as to the terms of the union should come first. They would do no more than pass a bill for naming twenty-eight commissioners, taken equally from both houses, to confer with a like body chosen by the Scottish parliament, and to report when the parliament should meet for a second session. Then the commons insisted on debating a subject from which even Elizabeth had scarcely been able to withhold them, the state of the Church of England. The majority of the commons were what was then termed puritans, not indeed puritans such as afterwards fought in the Civil War, opposed on principle to government by bishops and to the Book of Common Prayer, but puritans in the sense of desiring that ministers who scrupled at certain ceremonies should be indulged, and that measures should be taken to secure a resident and a preaching clergy. In April, Sir Francis Hastings moved for a committee to consider how religion might be strengthened and a learned ministry increased. James asked the house before proceeding further to confer with convocation, but the commons refused to do this, while declaring themselves ready to confer with the bishops as lords of parliament. Bills for providing a learned and godly ministry and for abating pluralities were passed by the commons but lost in the house of lords. Vexed at all these crosses, the king came down to the parliament on May 30 and addressed a formal rebuke to the commons. Such rebukes had not yet been blunted by frequency. Anxious to show their deference, the commons said nothing more about wardship and purveyance, but hurried forward the bill appointing commissioners to treat for a union. They were not, however, disposed to own themselves culprits. They prepared an

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CHAP. I.

apology for their proceedings which remains one of the most instructive documents of that age.

In terms of profound respect the commons lamented that the king had been misinformed as to certain matters: namely, that the privileges of the house were of grace, not of right, renewed every parliament on their petition; that the house of commons was not a court of record; and that the examination of election returns belonged not to them but to the chancery. They asserted that their privileges were their due inheritance, no less than their lands and goods, that their house was a court of record, and that it was the sole rightful judge of the election of its members. They declared that their privileges had been more dangerously impugned than at any former time, their freedom of election impeached, their freedom of speech impaired by many reproofs, and their house made contemptible in the eyes of the world. "The prerogatives of princes," they said, "may easily and do daily grow; the privileges of the subject are for the most part at an everlasting stand. They may be by good providence and care preserved, but being once lost are not recovered but with much disquiet." Their long debates regarding the proposed union between England and Scotland they excused by the newness and grave consequences of that measure. As to the Church, they expressly denied the power of the crown to "alter religion" or to make any law concerning it otherwise than by consent of parliament. For themselves they disclaimed any wish to dispute upon doctrine or to change government. They had merely wished to restore unity by abandoning some small ceremonies, to reform certain abuses and to furnish the kingdom with a learned and godly ministry. With respect to the feudal tenures, they had proceeded by way of petition, as the king had encouraged them to do if they felt themselves burdened. They stood not in place to speak or do things pleasing. Their care was and must be to confirm the love and to tie the hearts of the subjects most firmly to his majesty.[1]

The pith of the apology lay in the contention that the privileges of the commons of England were their lawful inheritance, all forms which might be taken to imply the contrary

[1] *Parliamentary History*, i., 1030; *Calendar of State Papers*, Domestic, Edw. VI.-James I., viii., 70.

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notwithstanding. Such a claim contradicted beliefs firmly held and often enforced by King James. For, if kingly power admits of no restraint by law, none of his subjects can have any legal right against the king. Their liberties are matter of grace, and it is for the king to judge when they have been so far abused that he should recall them. If, on the contrary, subjects have any legal right against the king, the king is not absolute but limited by law, and how far he shall be limited is a question of convenience merely. There had been many conflicts between kings and parliaments in the past, but the conflict between opposing theories of government had never been so manifest as on this occasion. The care of the commons to put their doctrine on record was justified by the pregnant observation that the prerogatives of princes do daily grow, while the privileges of the subject are for the most part at a stand. Such had been the history of France, of Castile, of Aragon, and of other continental kingdoms, and such might well have been the history of England. By alarming his subjects in time James rendered to English liberty a service of which he was unaware.

The apology, although completed and read in the house, was never presented to the king, but the commons showed their temper in another way which he must have felt as keenly. On his behalf they were asked to grant a supply, nor was the demand unreasonable, as the beginning of a new reign involved some extraordinary expenses. The house took advantage of the fact that much of the last subsidies voted to Elizabeth had not yet been collected. Until this had been done, they said, precedents forbade a fresh grant. The king thereupon wrote a letter to the commons disclaiming any wish for a further supply, and the commons went on to consider the grievances of the subject. Among these grievances none was more vexatious than the curtailment of the liberty of trade with foreign lands by the privileges of the trading companies. These companies held all the fields which had been won for English commerce since the death of Henry VIII. The Russia trade was monopolised by the Muscovy Company; the Baltic trade by the Eastland Company; the trade with the shores of the North Sea by the Merchant Adventurers; the Mediterranean trade by the Levant Company; and the trade with West Africa and with India by the companies named after those regions. Merchants who were

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CHAP. I.

not members of any company had only the trade with France and, when peace should have been concluded, with Spain. However useful privileged companies might be where the state was unable to protect or control its subjects in their commerce with remote or barbarous peoples, such a restraint of trade was clearly excessive and hurtful, and it was the more galling as the members of the companies were almost all citizens of London, so that most of the foreign trade of the kingdom was confined to a single city. Complaints of traders led the house to appoint a committee, and on its report the house adopted a bill throwing open the whole foreign trade. When the bill went up to the house of lords, however, it was opposed by Attorney-General Coke and allowed to drop.

Only in that matter where conflict might have seemed most probable were the king and the commons able to act in unison. James had soon repented of the toleration which in a fit of gratitude he had promised to the Roman catholics. During the last few months the catholic priests had been returning to England by scores. Many catholics who had hitherto conformed out of fear now absented themselves from the established worship. Some converts were made by catholic missionaries, and the number of these spiritual trophies was magnified in catholic report. The timid James was more and more alarmed by the increase of recusants. As a husband, a monarch, and a theologian he was trebly vexed to find that Queen Anne scarcely stooped to hide her preference for the Church of Rome. In February he put forth a proclamation ordering the catholic priests to depart the realm before the end of March. When opening parliament he declared his purpose of hindering conversions to the Roman faith. In May he expressed his wish for new laws to hem the papists in. No request could have been more pleasing to the house of commons.

Although freedom of conscience was the outcome of that struggle which fills the seventeenth century, we must not suppose that such a result was foreseen, far less desired, by either party in the Church of England under James and Charles. The puritans no less than the rulers of the Church clung to the medieval doctrine that the state was bound to enforce pure religion and to punish all heresy and schism. The puritans indirectly rendered the most valuable service to the cause of

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freedom by their obstinate assertion of their private judgment, by their stubborn resistance in the senate and the field to all official attempts to enforce conformity. But had they been in the seat of power, they would have shown at least as much intolerance as their adversaries. The Romanists they regarded with a peculiarly envenomed hatred. It must indeed be remembered in extenuation of protestant bigotry at that time that the Roman Church was no merely spiritual association trusting solely in spiritual arms. In the great work of reconquering the lands lost to Luther and to Calvin she had always employed, she was still employing, every kind of force that was available. Men not old when James ascended the English throne could remember the massacre of St. Bartholomew, the dread of a Spanish invasion, the many plots against Elizabeth's life. The Church of Rome was still in a literal sense a political power, a political danger. She made no concealment of her resolution to destroy heresy wherever she could, as a secular government puts down brigandage and murder. How far it would have been possible for statesmen convinced of the duty of toleration to accord the full rights of citizens to English Roman catholics at that time is hard to decide. That statesmen who thought it their duty to be intolerant should have visited honest catholics with statutes which we think inhuman and abominable was but too natural. The parliament readily passed an act confirming all the cruel legislation of Elizabeth and rendering it in certain respects even more severe. CHAP. L

By the time that this act had been passed James thought that the session had lasted long enough. He prorogued the parliament on July 7, not without a garrulous rebuke to the house of commons.

Convocation had been sitting at the same time as parliament and had shown itself as eager to harass the puritans as the commons had been anxious to spare them. It passed canons inflicting excommunication upon all who should affirm any of the thirty-nine Articles to be erroneous, or anything in the Prayer Book to be repugnant to Scripture, or any of the rites and ceremonies of the Church to be superstitious, or should maintain that government by bishops was contrary to the Word of God. Excommunication was then much more than a spiritual penalty, since it disabled the culprit from bringing a civil suit and ren-

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CHAP. I.

dered him liable to imprisonment until he made his submission. Bancroft, who may be regarded as a disciple of Whitgift, although in some respects more anti-puritan, became Archbishop of Canterbury in November. A royal proclamation allowed the clergy a respite till the end of that month, when the archbishop was commanded to proceed against such as remained impenitent. By a circular letter to the bishops, Bancroft enjoined the dismissal of all curates and lecturers who would not subscribe to the new canons. Beneficed clergymen who were unwilling to subscribe might keep their livings if they would conform to the rubrics of the Prayer Book. The number of those who refused to conform and were ejected is variously stated by contemporaries according to their respective bias. In the following year the universities were commanded to exact from all their members an oath to the effect that episcopal government was agreeable to Scripture and that presbyterian government, even if otherwise lawful, was inconsistent with monarchy. Thus, at a time when nobody was allowed to remain outside the national Church, it was made more and more difficult for such puritan clergy as could not fully accept its ceremonies to abide within.

In foreign as in domestic affairs James had given the world to understand what his policy would be. From the day of his accession he had resolved on peace with Spain, nor did he want solid reasons for taking this course. After many years of war, England had ensured herself against invasion and had ended the Spanish dominion of the sea. But it was unlikely that she would reap much more advantage or glory in the future. If Spain had no efficient navy, England had no efficient army. It was beyond English power to rouse the Portuguese against their Spanish tyrant or to make conquests in Spanish America. Even at sea valuable prizes were less likely to be taken when dear-bought experience had made the Spaniards careful how they conveyed their American treasure to Europe. Although the English nation was in no distress, for taxes were not heavy and the general wealth was always growing, the treasury had begun to feel the strain of the war, and even Elizabeth had found it necessary to raise loans and to sell crown lands. As James for lack of martial spirit and administrative skill was of all sovereigns the least fit to make war, it was prob-

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ably a wise instinct which led him to make peace. On the other side it might be urged that honour bound us not to desert our Dutch allies until the King of Spain had acknowledged their independence in the fullest terms. But James was not nice on the point of honour, and was never quite certain whether to befriend the Dutch as allies or to abjure them as rebels. The Dutch, it must be added, were so well able to defend themselves that they had carried the war into the enemy's territory and were founding their colonial empire, their naval power, and their world-wide commerce on the ruins of Spanish grandeur.

The Spanish king and his ministers had learnt that peace with England was the only means of continuing the struggle with the United Provinces which they could not bear to forego. Philip II., indeed, had surrendered his provinces in the Netherlands to his daughter Isabella, and her husband, the Archduke Albert. But they could never have maintained the war from the resources of their small and exhausted territory. It was waged with Spanish troops and Spanish treasure, and, since Isabella and her husband were childless, whatever was kept or won would return to Philip III. The wishes of the court of Madrid were therefore decisive with the court of Brussels. In July, 1603, Count Aremberg, the envoy of the archdukes, as they were called, invited the King of England to mediate between his sovereigns and the victorious republic. James thereupon sounded the Dutch, and found them resolute against peace on any terms whatsoever. In the autumn the Count of Villa Mediana brought friendly letters from Philip to James, but it was not until January, 1604, that the Duke of Frias, Constable of Castile, came to Brussels with powers to treat for a peace. A further interval passed before Spain would acknowledge defeat by submitting to the English demand that the negotiation should take place in London. The first conference of the plenipotentiaries was held on May 20. England was represented by the Earl of Nottingham, lord high admiral, the victor of 1588; the Earl of Dorset, lord treasurer; Lord Cecil, the secretary; the Earl of Devonshire, and the Earl of Northampton. The Constable of Castile did not appear until the treaty was ripe for execution, but the Count of Villa Mediana and Alessandro Rovida acted for Spain, while the Count of Aremberg with two others represented the archdukes.

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CHAP. I.

Where both parties were eager for peace there could be little doubt of the issue, yet some details of the treaty occasioned long debate. As England had left the Dutch to fight their own battle, she was bound not to admit any terms positively prejudicial to them. James refused to acknowledge that the Dutch were rebels or to restrain Englishmen from serving in their armies. A stipulation that either of the contending parties would undertake to force open any ports of the other which were blockaded was meant by the Spaniards to cause a quarrel between the English and the Dutch, but was accepted by the English without any thought of performance. Upon the trade to the Indies, East and West, no agreement could be reached. As the Spanish plenipotentiaries would not acknowledge the right of the English to trade there even with independent peoples, and the English plenipotentiaries would not acknowledge in any way that such trade was unlawful, the matter was left out of the treaty, and Englishmen and Spaniards continued to wage irregular war in those remote regions. Another delicate difference concerning the religious freedom of English subjects whose trade brought them to Spanish ports was settled on the principle that they should not be molested so long as they gave no public scandal. With this agreement the negotiation ended, the Constable of Castile at length appeared in London, and on August 19 King James swore to the treaty of peace. It was not glorious, but it was, on the whole, justifiable.

Bankrupt as Spain was, the Spanish government at once took measures to form a party in the court and government of England. Dorset, Devonshire, Northampton, and even Cecil, now Viscount Cranborne, besides others of less account, stooped to take secret pensions from the King of Spain. So easy was the public virtue of the age, that they probably felt little shame in acting thus, and soothed their qualms by doing almost nothing for the money. But Spain aimed higher yet. The Constable of Castile had learnt from Queen Anne that she wished her eldest son Henry to marry Anne, the eldest daughter of King Philip. Like all good catholics, Philip was assured that nations had become protestant merely through the perversity of their kings, in whose train they would with equal readiness return into the bosom of the Church of God. For himself, nothing could be more glorious or more profitable than to be the means of thus

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re-uniting Christendom. He therefore declared himself willing to treat for the proposed marriage on the easy condition that Henry should be sent to him to be brought up a catholic. Thus began a long and dreary tale of idle hopes, vain projects, and mutual deception, ending in disappointment to both parties and a renewal of war between England and Spain. CHAP. I.

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CHAPTER II.

THE ADMINISTRATION OF SALISBURY.

CHAP. II.

THE action of the government towards the Roman catholics had been strangely fitful. After holding out the hope of toleration if they were quiet and peaceable, James had approved the bill which rendered their condition worse. Although he did not intend to put the penal laws in force, the judges of assize had done so, and several catholics had suffered death in the summer of 1604. He was angered afresh by learning that, if he would have a Spanish bride for his son, he must send Henry to Spain, to be educated as a papist. He therefore resolved, while sparing the laity, to exile the priests, and in September all who were in jail were sent out of England. Meantime Sir James Lindsay, a catholic gentleman who had acted as messenger between the king and the pope, reported at Rome so favourably concerning the king's temper that Clement VIII. ordered prayers to be put up for his welfare and the conversion of his people, and a cardinal proposed to send him a copy of the *Annals of the Church* by Baronius for his further enlightenment. James was only the more displeased that he should be thought ready to change his religion or in want of instruction from Baronius. In February of 1605, therefore, he declared to the council and the judges his will that the penal laws should be put in force, short of the shedding of blood. Several thousand persons were convicted of recusancy, although much the greater number escaped the necessity of payment. Cranborne, who about this time received a new pledge of his master's favour in the title of Earl of Salisbury, fully approved these severe measures.

The catholics were naturally incensed. Under the penal laws they suffered much and lived in daily fear of suffering more. The king, from whom they had expected relief, had

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raised their hopes only to deceive them, and might at any moment remove what check he had placed upon persecution. In their despair some catholics thought of the most atrocious means for regaining their freedom. Foremost among these was Robert Catesby, a Warwickshire squire, remarkable for his fine person, his courage, and his gift of fascinating other men. His father had suffered in estate for fidelity to the old religion. Robert himself had been foremost among the catholics who took part in the wild insurrection of the Earl of Essex, but had escaped with a wound and a fine of four thousand marks. Not long afterwards he joined with Lord Monteagle in sending his cousin Thomas Winter to Spain in the hope of persuading Philip to undertake an invasion of England. In that also he met with no success. In February, 1604, after James had turned against the catholics, Catesby imparted to Winter a plan for blowing up the parliament house on the first day of the session, when the king, the lords, and the commons should all be assembled there. Winter was anxious to try first what could be done by milder means, and it was agreed that he should go to Flanders to secure, if possible, the intercession of the Constable of Castile, then entrusted with negotiating the peace between England and Spain. Failing such intercession, Winter was to enlist the help of Guido Fawkes, an Englishman who, though young, had served many years with honour in the Spanish armies. As Winter soon found that nothing could be hoped from the constable, he turned to Fawkes, who was ready to risk all for the Church and whom he brought over to England in April. A fourth conspirator was secured in John Wright, an old friend of Catesby.

CHAP. II.

The thought of killing the king had also risen in the mind of Thomas Percy, second cousin to the Earl of Northumberland. Percy was trusted by the earl, who made him constable of Alnwick Castle, and sent him on a mission in the catholic interest to James, while Elizabeth was yet alive. By his marriage with John Wright's sister Percy had become acquainted with Catesby. He fell under Catesby's spell and was enlisted in the plot. In May, Catesby and his four accomplices met by night at a house behind St. Clement's church, where they took an oath of secrecy and received the sacrament from the hands of that Father Gerard who had revealed Watson's plot. Gerard

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CHAP. II.

probably had no knowledge of the conspiracy. Then Catesby unfolded his plan. Percy was to hire a house immediately adjoining the parliament house. A mine was to be run under the building and charged with gunpowder. Time would be wanted and the danger of discovery would be great. Fawkes, therefore, as a man of tried courage and little known on account of his long absence from England, was to be charged with the immediate care of the business.

The house was presently secured, but, when parliament rose in July, the conspirators left London for the country and did not return until Michaelmas. Then they hired the house at Lambeth where Catesby lodged to serve as a magazine and put it under the care of a new recruit, Thomas Keyes. But fresh delay was caused by the commissioners for the union between England and Scotland, who chose for their place of meeting the house whence the mine was to run. Nothing could be done until the beginning of December, and parliament was expected to meet in February. When at length the conspirators had got to work and made some progress, they learnt that the meeting of parliament had been put off until October. They paused again, and Catesby used the interval to get fresh help. He had already disclosed the scheme to his servant Bates, who could not easily be kept in ignorance. He next secured Thomas Winter's brother Robert and his brother-in-law, John Grant. A little later Wright's brother Christopher joined the plot. In March, 1605, the conspirators were lucky enough to get a lease of the cellar of the house next to that taken by Percy. As it stretched under the parliament house, they were saved the trouble of further mining. Opening a new door into the cellar they placed there twenty barrels of powder, on which they laid a number of iron bars to make the explosion more destructive, and covered the whole with a great quantity of faggots and wooden billets.

The conspirators reckoned on the death of the king, of his eldest son Henry, and of so many members of the privy council and of the lords and commons as would for the time end all government and leave the state defenceless. But they were aware that their labour would be vain unless they could set up a new power in place of the one destroyed. For this purpose they counted on a general catholic rising with help from the catholic governments. The signal of insurrection was to be given

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in that district whence most of the conspirators came and where a great part of the gentry were catholic, the counties of Warwick, Worcester, and Stafford. Percy, who had been appointed a gentleman pensioner, by Northumberland, the captain of the corps, hoped by taking advantage of his office and the public confusion to seize the king's younger son Charles. The only other child of the king, the Lady Elizabeth, was then in the charge of Lord Harington at Combe Abbey, in North Warwickshire, the very neighbourhood where the catholics were to rise first. When Charles and Elizabeth had been secured, the rebels, it was thought, would be able to fashion a new government as they pleased. Considering how inferior the Roman catholics were in number, and indeed in all the elements of strength, such a scheme was madness. Had the king and parliament been destroyed, a rising of the catholics could only have ended in their defeat and slaughter. But men who reasoned soberly would never have embarked on the Gunpowder Plot.

The conspirators empowered Catesby to enroll such wealthy catholics as could serve the cause, not merely in their own persons, but by finding arms, horses, and supplies for the rank and file of the rebellion. It was a perilous trust, for with every new associate the chance of disclosure by rashness or treachery became greater. Catesby chose Sir Everard Digby, Ambrose Rokewood, and Francis Tresham, men very unequal to the desperate venture which they agreed to share. Digby, whose broad estates and numerous friends marked him for a leader, took up his abode at Coughton in Warwickshire, where he would be at hand to organise the insurrection. He was to hold a great hunting match at Dunchurch on the fatal day. As many as possible of the catholic gentry of the surrounding shires were to be invited. When they had met, Digby was to proclaim the real cause of the assembly, call them to arms and seize the Lady Elizabeth. This once accomplished, and the news from London known, it was hoped that the catholics throughout the kingdom would hasten to join their deliverers. In order to gain help from abroad, Fawkes was despatched to Flanders and Sir Edward Baynham to Rome. But no foreign government was trusted with the fearful secret.

When all was ready, another delay was caused by the further prorogation of parliament until November 5. To ensure success

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CHAP. II. it was needful that such catholic lords as might attend the meeting of parliament should be left to their fate. But Tresham could not endure to sacrifice his friend and brother-in-law, Lord Monteagle, whom he resolved to warn at all hazards. Late on the evening of October 26, as Monteagle was sitting down to supper in his house at Hoxton, he received a letter brought by an unknown person, and yielding no indication of the writer. It warned him to devise some excuse for not attending parliament, and to retire into the country, for "they shall receive a terrible blow this parliament, and yet they shall not see who hurts them". Monteagle at once returned to town and gave the letter to Salisbury, who took counsel with Suffolk, the lord chamberlain. They agreed that the letter pointed to an attempt to destroy the parliament by gunpowder. Suffolk then bethought him of the cellar which Percy had hired, and it was resolved to make a careful search, but not until the very eve of the meeting of parliament. The king, who was not acquainted with the letter until November 3, drew the same inference, and ordered Suffolk to inspect the buildings. A little before midnight on the 4th, Fawkes was found at his post, the cellar was searched, and the fate of the conspirators was fixed beyond recall.

They had been allowed ample time to fly, for Monteagle, as soon as he had cast a glance over the mysterious letter, had given it to one of his gentlemen, Ward, to read aloud, and Ward the very next day told Winter, who was his friend, that the plot had been discovered. Winter passed the word to Catesby, but Catesby would not budge till Fawkes, who was then in the country, should return to London and examine the cellar. As Fawkes found the cellar in its former condition, they thought the alarm idle, and resolved to stay, although they suspected Tresham and frightened him into meeting Catesby and Winter at Barnet. He denied any part in the letter, but entreated them to make their escape. Yet it was not until November 2 that Catesby would admit the thought of flight. On the 3rd, Percy returned to town, and the five original conspirators met once more in the house behind St. Clement's to consider what they should do. Percy was still so resolute against flight that the others yielded, and Fawkes returned to his post without shrinking.

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His arrest ended all doubt. Catesby, Percy, and the two Wrights fled before dawn, and, riding at full speed, reached on the same day Lady Catesby's house at Ashby St. Leger's, eighty miles distant from London. Keyes, Rokewood, and Thomas Winter followed. Robert Winter at Ashby first heard of the disaster from his chief. Whatever his guilt, Catesby was a brave man, resolute to act while he had life, and to die sword in hand. He rode without delay to the hunting at Dunchurch and tried to spirit up the catholic gentlemen whom Digby had brought together. But hardly any would join in an enterprise, desperate from the first and now too surely fatal. Still hoping to reach Wales and raise a catholic insurrection there, Catesby pushed on to Robert Winter's house at Huddington, near Worcester, his followers seizing arms and horses where best they might. They had sent Bates to Digby's house at Coughton to consult Father Garnet, the provincial of the Jesuits. But of what counsel would their case admit? Father Greenway, who had been cognizant of the plot, and was also staying at Coughton, joined the fugitives, but he was their only recruit. Some of the band stole away to hide apart. The alarm had been given, the country was rising, and the last wild hope had almost vanished. On the third morning of their flight they attended mass and received absolution. Long after dark they rode into Holbeche, a house in Staffordshire belonging to Stephen Littleton, one of their band, and, as they could go no farther, they prepared to fight. At eleven o'clock next day the sheriff of Worcester and his men beset Holbeche. In the hasty attempt to dry a quantity of damp gunpowder the defenders caused an explosion which injured some of their number and dismayed all with a sense of the Divine judgment. The two Wrights were shot dead. A single bullet pierced Percy and Catesby, who stood close together. Catesby lingered a few moments, Percy two or three days. The rest were made prisoners, and those who had hidden elsewhere were hunted down before long. CHAP. II.

Repeated examination and the unsparing use of torture at length wrung a full confession from Fawkes. The other prisoners and Tresham were also examined. On January 27, 1606, eight of the conspirators, Fawkes, Digby, Rokewood, Robert and Thomas Winter, Keyes, Grant, and Bates were brought to the bar in Westminster Hall and convicted. On

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CHAP. II.

the 31st they suffered, four at Westminster and four in St. Paul's churchyard. Tresham had already died a natural death in the Tower. One or two of the other culprits were executed at Worcester.

The government was most desirous to convict the priests, who on different grounds might be thought to have been in the plot, Garnet, Gerard, and Greenway. Greenway and Gerard escaped, and Garnet with another priest named Oldcorne hid in the house of a catholic gentleman named Abington, at Hindlip, not far from Worcester. At length, unable to endure any longer the cramp and suffocation of the closet in which they were hidden, they came forth and were taken by the watchers who beset the house. Neither repeated examination nor the threat of torture (the king had forbidden its application) could draw from Garnet the desired confession. But something was gained by the base trick of giving him opportunity to talk with Oldcorne in prison, where persons concealed could hear all that was said, and Garnet was by degrees brought to give an apparently full account of his relations with the conspirators. Catesby had given him vague hints and had asked a question as to the lawfulness of an enterprise which he would not explain. Greenway had offered to tell all and Garnet had agreed to hear, if it were told under the seal of confession. Garnet protested that he was horror-struck, but could not say that he had taken any effective measures to defeat the plot. Evidence in his own handwriting showed that he held a view on the lawfulness of equivocation which might lead even candid minds to put little trust in what he said. At such a time his condemnation was certain. He was executed on May 3. Oldcorne also suffered, and these were the only priests put to death for the Gunpowder Plot.

The Earl of Northumberland had fallen under suspicion through his friendship with Thomas Percy, and more especially because he had admitted Thomas a gentleman pensioner without requiring the oath of supremacy. He was sentenced by the court of Star Chamber to lose all his offices, to pay a fine of £30,000, and to be imprisoned during the king's pleasure. He was not set free until 1621.

The received story of Gunpowder Plot presents some real and some apparent difficulties which have awakened doubt ever

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CHAP. II.

since the reign of James I. Some have thought that Salisbury in his malice against the catholics prompted a set of reckless fools in their wicked enterprise, or at least let them run their full course so as to render the discovery more appalling. Others have said that the discovery, at all events, was a trick carefully studied to amuse and excite the vulgar; the king's ministers having already come to a full knowledge of the plot by other means. The questions thus raised cannot be discussed in brief, because the evidence which needs sifting is bulky; and to discuss them at length is beyond the scope of this volume. It is enough to say here that in the judgment of those best qualified to pronounce, the received story of Gunpowder Plot remains more likely to be true than any other.[1]

Soon after meeting, the parliament was adjourned to January 21, 1606. Possessed with a spirit of revenge, it set about making the condition of the catholics still more grievous. Recusants to whom the fine of £20 a month was not crushing were reached by enabling the king to seize two-thirds of their estates. A fine of £10 a month was set on every person harbouring a servant or stranger who refused to go to church. Recusants were forced to take the sacrament once a year in the parish church under penalty of a heavy fine. A bishop or two justices of the peace might tender to any recusant who was not a nobleman an oath to the effect that the pope had no power of deposing kings, and that he would defend the king to the best of his ability, notwithstanding sentence of deposition. Every person going abroad to serve a foreign prince was to take this oath on pain of felony. Any person trying to withdraw the king's subjects from their allegiance or to reconcile them with Rome was to suffer as in case of high treason. By another statute recusants were forbidden the court and were not to remain in London or a space of ten miles round, unless they practised some trade or handicraft there, or had no dwelling outside those limits. They were excluded from the practice of law and medicine, and from any naval or military commission. They might not exercise Church patronage, or be executors or administrators, or act as guardians, or possess more arms than the justices should think

[1] See J. Gerard, *What Was Gunpowder Plot?* (1896), and the reply by S. R. Gardiner, *What Gunpowder Plot Was* (1897).

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CHAP. II.

necessary for defence. They were debarred from suing as persons excommunicate. Penalties were imposed on all persons who should be married, or baptise their children, or bury their dead, otherwise than with the rites prescribed by the Church of England. Persons who had been sent out of the realm for their education might not inherit property until they had taken the oath against the deposing power of the pope.

Neither the great crime of a few desperate men, nor the relentless war which the Church of Rome was then waging against freedom in every land where she had power, can excuse this methodic persecution of the English catholics. Much as they suffered, they would have been still more miserable but for the policy of the crown. James and his son were not unwilling to have the catholics at their discretion, but did not wish to drive them to extremity. They would never enforce the penal laws with that rigour which the commons desired, and sometimes, to gain the friendship of catholic powers, they went near to suspending their operation altogether.

Convocation took another way of defending the realm against popery. It adopted the principle that resistance to the sovereign is in all cases condemned by the law of God. Such a principle might be turned against the puritan as readily as against the catholic. But it was rejected by James, who would not allow that, if he were ousted, another might be entitled to the obedience of his people. On this occasion, he used arguments which, however just in themselves, seem hard to reconcile with his favourite theory of government. Nevertheless the doctrine of non-resistance was generally accepted and taught by the clergy, until the arbitrary measures of James II. against the Church of England led them to reconsider the respective rights and duties of kings and their subjects.

The king was in need of a liberal grant from parliament. His financial distress was due partly to his own prodigality, but partly to general causes which we are apt to forget. The royal revenue was very inelastic. That part of it which came from the crown lands, or from the king's claims upon his tenants in chivalry, was in great measure fixed by usage and precedent. The different duties upon merchandise imported or exported, known as customs, tonnage and poundage, were granted for life at the accession of a new monarch, and were practically un-

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changeable during his reign. The usual forms of direct taxation known as subsidies, tenths and fifteenths, although originally assessed on the real wealth of the taxpayer, had become fixed for lack of a new valuation and even tended to diminish. Parliament could grant as many subsidies, tenths and fifteenths as it thought proper, but the English, who had always been lightly taxed in comparison with their neighbours, were not prone to give freely save in time of war. Meantime the discovery of the American mines had caused a heavy fall in the value of the precious metals. In the seventeenth century silver had sunk to perhaps one-fifth of its value in the fifteenth. With the progress of civilisation government had become more costly. By dint of severe parsimony, Elizabeth had been able to meet all demands with no very liberal help from parliament in time of peace. But in the course of the war with Spain, ingeniously though she contrived to enlist private capital and enterprise, she was forced, as has been noted, not only to ask for more subsidies, but to sell crown lands and to contract debts. For her successors there was only one safe and honourable policy; to practise thrift and to gain the goodwill of the people, so as to lead parliament towards a financial system more equal to the needs of a modern state. The Stuarts failed in both respects, and this failure was a prime cause of their downfall. CHAP. II.

James never understood how to manage parliaments and he was lavish in ways which brought him no return of power or dignity. He wanted energy to maintain that general control over the public expenditure which is now supposed to be the function of the treasury, but which then could only be exerted by the sovereign. Still more did he want the firmness and grasp of detail necessary to keep down the outlay on his own court and household. He could refuse nothing to the courtiers and favourites who helped to amuse his idle hours. He had not reigned long, therefore, when his gravest councillors were alarmed at his poverty. In 1606 the ordinary revenue amounted to £315,000 and the annual deficit was about £50,000. A debt of £400,000 left by Elizabeth had risen to £735,000. The king had a fair claim to a plentiful supply, as hitherto he had not asked for a grant. The house, too, was genially disposed towards the king by the feeling of a common peril and a common deliverance. After some debate it agreed to

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CHAP. II.

vote three subsidies and six tenths and fifteenths, a sum of about £375,000, to be levied in six instalments and paid in full within four years. An addition of almost £100,000 a year to the revenue would have done much for Elizabeth; it hardly lightened the embarrassments of James. The house seized this opportunity for a bill to restrain the abuses of purveyance, but it was thrown out by the lords. Parliament was prorogued at the end of May, almost the only prorogation in this reign unaccompanied with a quarrel between the king and the commons.

In November, parliament met again to consider the proposals of the commissioners for a union between England and Scotland. This great work lay near to the heart of the king and he was ably seconded in the house of commons by Sir Francis Bacon, then at length rising to influence and preferment. The commissioners proposed to establish freedom of trade between the two countries, with some exceptions meant to save the interest or prejudice of either party. But the keen jealousy with which the English trader viewed the poor and pushing Scotsman led the house of commons to reject the proposal. The commissioners also desired that natives of either kingdom should have the benefit of naturalisation in the other. According to the crown lawyers, all Scots born after the king's accession in England were at common law naturalised English subjects. The commissioners proposed, therefore, that parliament should pass an act declaring this class, the so-called *Post-nati*, to be already naturalised, and another act naturalising Scots born before the king's accession, the so-called *Ante-nati*. But here also they encountered an obstinate resistance in parliament. The king's extravagant favour to his countrymen made Englishmen fear that the *Ante-nati*, once naturalised, would get far more than their share of office and patronage in England. Many thought that the country would be overrun by Scots and that their own people would be starved. Bacon sought to raise the debate above these prejudices, urging that there was ample room in England, Ireland, and the plantations beyond the sea for a people so active, hardy, and industrious as the Scots, whose union with the English would insure the future greatness of the kingdom.

After a conference with the lords the commons proposed to naturalise by statute all Scotsmen alike, while excluding them

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from a large number of offices and insisting that those who held property in England should be subject to the same burdens as other people. A little later they proposed to establish identity of laws in both countries. Seizing this opportunity, the king in person urged the houses to pass the bill of naturalisation and leave all further approaches to union for future debate. But whatever advantage he might have gained was lost in an adjournment of three weeks. When they re-assembled the commons showed their former indifference and would do no more than repeal those statutes which treated Scotland as a hostile country on condition that the Scottish parliament should do the same. When parliament was prorogued in July, 1607, the king, seeing that he could not hope for a general act of naturalisation, resolved at least to have the authority of the judges in support of the doctrine that the *Post-nati* were entitled to all the privileges of English subjects. The point was raised by means of a suit for land brought in the name of Robert Colvill or Calvin, an infant born in Edinburgh in 1605. After hearing the question of law argued in the exchequer chamber, the chancellor, Ellesmere, and ten out of the twelve judges declared Colvill to be a natural English subject. The status of the *Post-nati* was thus decided, and every year rendered the status of the *Ante-nati* a matter of less consequence.

James was so sorely displeased at the temper of the commons that he resolved to defer another session as long as possible, and parliament did not re-assemble for more than two years. Finding his revenue still too small, he was the more inclined to take advantage of a decision given in his favour by the court of exchequer in 1606. This decision claims notice as it opened that long controversy on taxation which, next to the controversy about religion, fed the mutual enmity between king and parliament.

Parliaments had first come into being because kings wanted money. They were called to grant new taxes, and they strove to make their consent necessary before a tax could be raised. But medieval statesmen seem not to have had any general term for taxation nor any idea corresponding to such a term. From Magna Carta onwards each of the statutes passed to restrain the royal discretion in this matter spoke of particular taxes or kinds of taxes which at the time were felt to be griev-

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CHAP. II.

ous. The language of these statutes was often vague, especially as regards the duties on goods imported or exported. Some forms of indirect taxation were expressly forbidden. Other forms of indirect taxation were from time to time authorised by parliament until it might fairly be deemed irregular to take them without that authority. But nowhere could there be found a plain prohibition against levying any indirect tax whatsoever without the sanction of parliament. Such statutes as restrained the crown were construed by the courts in the narrowest spirit. The Tudor sovereigns occasionally ventured on levying duties by their own prerogative as a means of protecting native commerce or applying pressure to unfriendly or hostile neighbours. There remained, therefore, a margin of doubt as to the king's power of indirect taxation.[1]

An imposition upon currants of 5s. 6d. the cwt. had been levied in the former reign, at one time by the crown, at another time by the Levant Company in virtue of its exclusive privilege. Soon after the accession of James the Levant Company surrendered its charter, but the crown kept up the imposition on currants. In 1606 a merchant named John Bate raised the question as to its lawfulness by removing a quantity of currants from the quay before duty had been paid. He was summoned before the privy council, where he declared that the imposition was illegal, and was sent to prison for contempt. The crown then resolved to obtain a judgment of the court of exchequer, while the merchants appealed to the house of commons. The house put into its petition of grievances a demand that impositions should no longer be levied, as they had never been granted by parliament; but the barons of the exchequer gave judgment in favour of the crown. Their decision, important for the matter in hand, was still more notable for the grounds on which it was based.

It was laid down by Chief Baron Fleming and by Baron Clarke that, since all the ports of the realm belonged to the king, he might at his discretion forbid the passage of any person or any goods into or out of the kingdom, and might, therefore, demand any sum he pleased for allowing such passage. Nor was this all. It was asserted that the king's power was double;

[1] See H. Hall, *A History of the Customs Revenue of England*, vol. 1, chaps. ii., iii., iv., for a detailed statement of the case on behalf of the crown.

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CHAP. II.

ordinary for the profit of particular subjects, absolute for the general benefit of the people, and that this absolute law varied according to the wisdom of the king. Thus the undoubtedly large and indefinite power which the crown had exercised over the ports and over foreign commerce, and which the public had acknowledged for the supposed good of the realm, might be treated as a means of holding the subject to ransom. Moreover, the king was held to possess a power limited only by his own forbearance of doing whatever he might think conducive to the public weal. By the simple expedient of alleging the general welfare as his motive he might do with his subjects exactly as he thought proper. As England was fast becoming a great commercial country, these doctrines gave the crown an inexhaustible revenue independent of parliament. Indeed they rendered parliament useless, not for taxation alone but for every other purpose. Whatever we may think of the exposition of the law in Bate's case we cannot wonder that the reasons given for the judgment alarmed the house of commons.

Yet the question might have slumbered, had not the judgment of the court of exchequer been followed by the levy of new impositions. Dorset died on April 19, 1608, and was succeeded as lord high treasurer by Salisbury. He found the king almost penniless. The whole annual revenue amounted to £427,000, the ordinary expenses to £500,000, and the extraordinary expenses to £100,000, while the debts had risen to nearly £1,000,000. Among other devices for improving the revenue, Salisbury put forth a new Book of Rates, as it was called, which imposed fresh duties reckoned to bring in £70,000 a year. In order to gain opinion, these impositions were laid chiefly on articles of luxury or on foreign manufactures which competed with native industry. In a few cases old impositions were actually diminished. By severe economy, by enforcing every profitable right and by selling crown lands, Salisbury in two years reduced the king's indebtedness from £1,000,000 to £300,000. But he could not raise income permanently to a level with expenditure, and in a short time the last payments due on account of the subsidies granted in 1606 would have been received. Then the deficit would become as large as ever and debts would again become overwhelming. At the beginning of 1610 it was apparent that parliament must again be summoned.

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CHAP. II.

The parliament re-assembled on February 9, 1610. Since their last meeting various causes had tended to irritate the commons against the government. Ecclesiastical differences were in no respect abated. The king's claim to levy impositions appeared more dangerous the longer it was considered. The king kept up the Tudor practice of issuing proclamations which inflicted new penalties for old offences or even created offences unknown to the common law. The council of Wales had asserted its claim to jurisdiction over the four border counties, Gloucester, Worcester, Hereford, and Shropshire, a claim perhaps justified by a statute of Henry VIII., and certainly supported by precedent, but alarming inasmuch as it confirmed an exceptional administration of justice in a region nowise different from the rest of the kingdom.[1] The ecclesiastical courts had been in ceaseless feud with the courts of common law. The judges, with Coke at their head, claimed authority to fix the bounds of all other jurisdictions and to issue writs of prohibition whenever these bounds were transgressed. The council of Wales and the ecclesiastical tribunals sought and received the support of the king, who felt partial to courts entirely dependent upon his favour, while the courts of common law had the sympathy of the legal profession, which supplied a large and active part of the house of commons. In brief, the commons met with the disposition to call for redress of grievances, while the king was concerned above all things to obtain supply.

One subject of complaint especially deserves to be noticed for the light which it casts upon the habits of thought prevailing at that time. Dr. Cowell, reader in civil law at Cambridge, had published a law dictionary entitled *The Interpreter*, in which he asserted that the King of England was an absolute king, and therefore had plenary legislative power. No liberty of political discussion outside parliament then existed, nor did any great number of men understand such liberty. No book could be printed without a licence, and therefore every book treating of politics seemed to have the sanction of the state. If patriots thought its teaching unsound and mischievous, they called on the state to remedy the wrong by

[1] See Miss Skeel, *The Council in the Marches of Wales*, ch. v.

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suppressing the book and punishing the author. Nor were they without a relative excuse for the demand. If the crown and the Church defended their authority by silencing criticism, the commons could not well be denied the same privilege. Freedom for one school of thought does envenom the wrong done in repressing every other. The commons were therefore determined to set a mark upon Dr. Cowell and his dictionary.

When Salisbury had stated the king's wants at a conference between the houses, the commons referred the subject to their committee of grievances. The committee advised that the house should treat with the king for the extinction of the feudal tenures. Salisbury had no instructions to do so, but he asked for a grant of £600,000, partly to pay off the king's debts, partly to meet extraordinary charges, and for a permanent annual addition to the revenue of £200,000, which would give the king a large surplus. As much was demanded from the commons, they could make themselves heard. When they denounced Cowell's *Interpreter*, James agreed in condemning that work and ordered its suppression. When they asked leave to treat for the abolition of the military tenures, he assented. They began with proposing that the king should give up his feudal revenues for a fixed annual sum of £100,000. The king would have gained by this bargain, but he refused to part with his feudal rights unless he were put in possession of a revenue more than equal to his expenses. He therefore bade Salisbury demand £200,000 a year in addition to an equivalent for the feudal revenues, and as the commons would not consider these terms, the negotiation was broken off for the time.

The commons then proceeded to discuss the impositions. On May 11, they received a message as from the king forbidding them to question his prerogative, but when it was found to have come merely from the council in his absence, they refused to treat it as a royal message. On returning to town, James sent for the houses and asserted peremptorily his right to levy impositions, although he promised not to levy any fresh ones without hearing what they had to say. The commons were not to be silenced thus. They drew up a petition of right insisting on their claim to debate freely all the grievances of the subject and asking that they might be allowed to proceed with the inquiry into impositions. James, who could not afford

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CHAP. II.

to quarrel with parliament, gave them liberty to proceed. Then followed the memorable debate on impositions, lasting for the very unusual space of four days. Bacon and Yelverton were the chief speakers on behalf of the crown; Hakewill and Whitelocke on behalf of the commons. As has been said, the language of statutes and the practice of former times admitted of two views on the question of law. But on the question of policy there was little room to hesitate. If the commons acknowledged the king's power to impose duties they annulled their own control over taxation. Without a division, therefore, they agreed to appoint a committee for drawing up a petition on the impositions. The king in reply offered a compromise. He would keep the impositions already set on merchandise, but he would assent to a bill forbidding any new ones to be levied. A bill to this effect was brought in, but was lost in the house of lords, and the king's right to levy impositions remained in dispute for another thirty years.

When the king had soothed the commons by leaving them free to debate the impositions, Salisbury revived the negotiation for ending the military tenures. After some bargaining the parties agreed that the king should receive £200,000 a year, but the commons intended this sum to cover the extinction of purveyance and certain other onerous rights of the crown. Even so the king would have gained a clear £100,000 a year. But, as the session was far advanced, the determining how this revenue should be raised was left over to the autumn. On July 23, James prorogued the parliament in a tolerably good humour. He promised to consider their grievances as to the council of Wales and the abuse of proclamations, but, while yielding some points of detail, he remained immovable on the general ecclesiastical question.

In the recess James consulted Coke, now chief justice of the common pleas, as to the legality of his proclamations against new buildings in London and against the manufacture of starch. Coke advised with Fleming, who had been made lord chief justice, with Chief Baron Tanfield and with Baron Altham. Their joint answer was to the effect that the king could not create a new offence by proclamation nor make an offence punishable in the Star Chamber which was not by law within its jurisdiction. All that he could do was to warn his subjects to keep

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the law, with the consequence that neglect of the warning would expose offenders to severer punishment. This opinion of the judges was not challenged at the time, and has since been accepted as authoritative. It even restrained for a while the issue of proclamations making new offences.

When parliament met once more in October the commons were unwilling to go on with the bargain for the extinction of military tenures until the king had redressed their grievances. The king on his side had come to the conclusion that the terms settled earlier in the year were not favourable enough. He raised his demands and the house replied that they could not raise their offers. Thus the long negotiation, sometimes described as the Great Contract, ended, much to Salisbury's vexation, and a valuable reform was postponed for half a century. As the king still needed money, he allowed Salisbury to offer redress of certain grievances in return for a grant. The house, no longer in the giving mood, thanked the king, but told him that they expected more. Uncivil things were said about royal profusion and Scotch favourites. The most highly favoured of them, Robert Carr, took alarm and used all his influence to irritate the king against the commons. Hopeless of a supply, James dissolved the parliament on February 9, 1611.

The first Stuart king thus parted in ill-humour with his first parliament. He and his successors were to part in like fashion with every parliament which they called down to the time of the Revolution. There could be no more convincing proof that these kings did not understand the temper of Englishmen or the art of managing popular assemblies. James had no intention of abusing his authority. In spite of much arrogance and pedantry he often yielded points of real consequence. On one or two subjects, such as the treatment of the Roman catholics and the union of the two kingdoms, his views were larger than those of the majority in the house of commons. But he lacked insight and sympathy. His manner, at once undignified and overbearing, raised neither fear nor affection. He challenged resistance by the constant assertion of his absolute power. Above all, he refused to make any serious concession in ecclesiastical affairs. In his early years at all events very slight concessions would have satisfied, if not the dogmatic puritans, at least that great body of moderate Englishmen apart from which they

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CHAP. II.

were powerless. But the vanity of the monarch had been too deeply wounded in Scotland, the vanity of the theologian was too much gratified in England, for James to yield one jot or tittle. And so was opened that rift between the king and his people which widened year by year until it became civil war.

Archbishop Bancroft died in November, 1610. In the following January the king named as his successor George Abbot, Bishop of London. It cannot be said that Abbot owed this elevation either to pre-eminent talent or to conformity with the king's views regarding the disputes of that day. At Oxford Abbot had risen by the usual stages to the mastership of University College. Having become chaplain to the Earl of Dunbar, the most trusted of the king's ministers in Scotland, he had rendered valuable service to the crown in its dealings with the Scottish clergy. He was rewarded with the see of Lichfield and Coventry, then with the see of London, and finally with the highest office in the Church. But he never sought to hide his opinions, which were those of many prelates in the former generation. That is to say, he held with the puritans in doctrine, while he considered that all men should comply with the actual government and worship of the Church as enjoined by the law of the land, and in no respect contrary to the law of God. While he was inclined to deal tenderly with the scruples of the puritans, he had less reserve with the rising Arminian party, and more than once engaged in angry debate with their champion and his own successor, William Laud.

The first years of the reign of James I. are memorable in the history of Ireland. A few days after his accession the submission of Hugh O'Neill, Earl of Tyrone, to the Lord Deputy Mountjoy announced the close of that slow and interrupted conquest by Elizabeth which for the first time really brought every part of Ireland under the power of the English crown. There remained the harder task of reconciling the conquered with their fate and raising a backward and half-ruined country to the same degree of civilisation as England.

Now that the feudal sway of the Norman-Irish nobles and the patriarchal rule of the Celtic chiefs were displaced by the direct rule of the sovereign, it was natural that English law and English institutions, hitherto almost unknown outside the Pale, should be extended over the whole kingdom. As the most

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CHAP. II.

enlightened men of that age little knew how the laws and usages of a people grow out of their character and condition, it was natural that the change should be made abruptly. The endeavour of modern Indian administrators to understand native usage and adapt it to English notions of government was far beyond the wisdom of the seventeenth century. Yet even the revolution implied in substituting the common law for the Brehon law might have been made endurable. The ancient institutions of Ireland had cramped the growth of national life, had made conquest by foreigners inevitable, and had not ensured the welfare of the mass of the people. The real gains of peace, order, and security, assured by an irresistible power, might have reconciled most Irishmen to a system which, though foreign, would have allowed them to share in the general progress of Western Europe.

But there were two disturbing causes which fatally hindered the successful conduct of this great experiment. One was religious and the other was agrarian. As it was then the general belief that in one state only one Church should be allowed, it was inevitable that the English conquerors of Ireland should everywhere instal the reformation, leaving the Roman catholic religion to exist on sufferance or to be repressed so far as might seem prudent. And since the Irish, still a mediæval, in many respects a primitive people, had no part in the thoughts and feelings which gave birth to the reformation, but associated protestantism with subjection to aliens, it was natural that they should reject the religion forced upon them and become what they had not yet been, fervent Roman catholics. At a time when a standing army was an institution unknown in England and when the revenues of Ireland could ill maintain a handful of troops, it was natural that the English conquerors should continue the system of plantations or colonies, first adopted under the Tudors in the double hope of forming a permanent garrison and of averting all danger of revolt by Anglicising the children of the soil. And since the government was always weak against the suggestions of greedy and powerful men, the system of plantations was further and further enlarged till it became the means of turning the Irish wholesale off their lands and awoke a terrible passion for recovery and for vengeance.

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CHAP. II. The general result was that a policy which aimed at making the Irish English failed of its effect and instead formed, out of a population hitherto split into countless fragments by tribal and feudal hatreds, a nation united in itself and parted from its conquerors by deep and growing antipathy. In strict justice the blame cannot be wholly laid upon any one person, party, or sect in England. For although the puritans, when they had power, showed themselves blinder and more merciless in the government of Ireland than any of their predecessors, it must be remembered that the rebellion which called forth their fury had been prepared by the injustice and unwisdom of James and Charles and their ministers. Nor were rulers only to blame. There was a great gulf fixed between the thoughts and feelings of the two peoples. English civilisation does not attract aliens and of all great conquering races the English are the most exclusive. In two centuries the Romans Latinised the vast Celtic population of Gaul. In seven centuries the English have not achieved as much with the small Celtic population of Ireland.

Mountjoy had to quell a catholic movement of resistance in the southern towns before he could return to England. He was made Earl of Devonshire and lord-lieutenant, but did not resume the administration. In his place there came as deputy, first Sir George Carey and then in October, 1604, Sir Arthur Chichester. Chichester was a statesman who saw the object which an English ruler of Ireland should pursue and to some extent the means which he should employ. He earnestly desired to end the rule of the sword and to make English law popular by making it beneficial. In the spring of 1605 he revoked most of the commissions which had been granted for executing martial law and ordered a general disarmament. A pardon was proclaimed for all offences committed before the king's accession, and the common people were promised protection against ill-usage, whether by their lords or by the officers of the crown. Following a practice adopted under Elizabeth, the government made grants of forfeited lands to English and to loyal Irish on condition that they should assign freeholds to a certain number of cultivators in return for a fixed rent. Irish proprietors were encouraged to surrender their lands and receive them back on English tenure with a similar provision for their dependants. It was hoped that men

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thus secure of their holdings would be led to cultivate them better and, in becoming prosperous, would become contented. It was designed that these freeholders should have the same political rights and duties as in England. For whatever faults the rulers of Ireland might at this time commit, they did not intend that entire exclusion of the Irish from the government of their own country which was carried out a hundred years later.

This healing policy had its effect in the contentment of a great part of the people. The judges, going circuit in districts hitherto unvisited by them, were often welcomed as protectors of the weak against the strong. The Celtic aristocracy were sorely aggrieved, it is true, to find their former almost princely sway cut down by the irresistible power of the government above and the new legal rights of their dependants below. But had the chiefs alone been malcontent, the mischief would have been temporary. Other causes did more to disappoint Chichester's hopes.

In Ireland, as in England, the catholics had hope of toleration from James, and in Ireland, as in England, their hopes were disappointed. James ordered that all persons should attend the Church service and that all priests should be banished. Chichester gave effect to these orders by means of the arbitrary jurisdiction of the court known as the Castle Chamber, and when the catholic lords and gentlemen of the Pale petitioned for a respite, some of them were imprisoned. Complaints of this hard usage reached England, and the privy council asked the Irish council for an explanation. Although the Irish council sought to justify what had been done, it abandoned the attempt to drive the catholics into the churches of the established faith. Nevertheless, a precious opportunity had been thrown away, and the Irish were confirmed in the belief that the government was the enemy of their religion, only restrained by a sense of weakness from suppressing it altogether. At this very time the established Church was in a condition which allowed of little hope that it would gain willing adherents. During the long disorders of the sixteenth century an immense amount of ecclesiastical property had been seized by laymen, and a great number of churches had fallen into ruin. In many places there was no livelihood for an incumbent, and no incumbent to be found.

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CHAP. II.

For want of any controlling public opinion, patronage had been abused in such a shameful manner that a large proportion of the clergy were illiterate or scandalous in their morals. Pluralities and non-residence were flagrant throughout the kingdom. In most parts the Church services were not celebrated, nor would their celebration have availed much, for the protestant clergy, as a rule, spoke only English, while the mass of the Irish spoke only Gaelic. Chichester tried to improve matters, used care in his choice of bishops and caused the Prayer Book to be translated into Gaelic; but his endeavours left hardly any abiding trace.

With regard to further plantations, Chichester's views, at least in the beginning of his rule, were moderate. He proposed to settle English and Scotch colonists in Ulster, but only on the abbey lands already vested in the crown. The course of events led him on to a much more sweeping plan of colonisation. The Earl of Tyrone could not but feel dissatisfied with his present state and anxious for the future. Although he had saved his lands and honours, and had received the king's own assurance of protection, he, the great O'Neill, who had been an all but independent prince and the chief of a national uprising, was now no more than an ordinary noble, without the sense of security which other nobles enjoyed. He had many disputes with his dependants, who hoped to gain recognition as freeholders. He might expect the government to take their part in the hope of weakening a subject whom it must continue to fear. He had probably become acquainted with Chichester's report to Salisbury, that Ulster would never flourish until it was directly ruled by a president and council, a change which would take away the last remnant of his immemorial power. Whether he began to contrive a new rebellion or whether the English rulers accused him of plotting in order that they might ruin him and seize his possessions, is still doubtful, and it cannot be said that either alternative is unlikely.

Tyrone's bitterest quarrel was with his chief vassal, Sir Donnell O'Cahan, who claimed to hold directly from the crown. They argued their cause before Chichester in council, and the attorney-general, Sir John Davis, recommended that the crown should enter upon the lands to the exclusion of both claimants. The deputy declined to take such an arbitrary course, and, as

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CHAP. II.

both parties desired a judgment of the king himself, James undertook to give them a personal hearing. But when the time drew near Tyrone changed his mind and came to the conclusion that, if he once set foot in England, he would never be allowed to return. How far his fears were justified and what prompted them are questions still obscure. A little while before the government received warning that a new rebellion was preparing and that Tyrone was almost certainly one of the leaders. If this were really so, or if Tyrone knew that he had been accused, though falsely, his resolution to flee admits of explanation. On September 4, 1607, he sailed from Lough Swilly for the continent. He never again beheld his native land, and died at Rome in 1616.

With him went the head of the next greatest Celtic house in the north, Rory O'Donnell, Earl of Tyrconnel, who had been named among the principals in the latest plot, and thought it no longer safe to remain in Ireland. With the two earls went also Cuconnaught Maguire, chief of Fermanagh, who had fought against the English in Tyrone's rebellion, and who was also accused, probably with reason, of preparing for another. It was certain that in all three cases flight would be taken as proof of guilt and would be followed by judgment and the forfeiture of their immense possessions. In the following year Sir Cahir O'Dogherty, chief of Innishowen and one of Tyrconnel's chief vassals, raised a foolish and hopeless insurrection which ended in his death and forfeiture. In the same year trouble overtook O'Cahan, Tyrone's former vassal and enemy, and Sir Niall Garv O'Donnell, who had once claimed the chiefship of his great clan. Through these events all the Celtic chiefs of most consequence in the north of Ireland were removed, six counties, Tyrone, Donegal, Armagh, Coleraine, Cavan, and Fermanagh, were escheated to the crown, and the way was opened for the memorable plantation of Ulster.[1]

Chichester advised the king in disposing of these lands to allot among the old inhabitants as much as they could stock and cultivate, and only then to divide the residue among English and Scottish settlers on condition of building castles to ensure the

[1] *Calendar of State Papers*, Ireland, James I., vol. iii., generally; J. O'Donovan, *Annals of the Four Masters*, vol. vi.; Meehan, *Fate and Fortunes of Tyrone and Tyrconnel*.

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CHAP. II.

possession of the country. But the commissioners appointed to draw up a scheme paid no regard to vested interests, treating the whole territory as something which might be freely apportioned between natives and settlers. There were to be three classes of grantees; English and Scottish settlers, servitors, that is, old servants of the crown, civil and military, and native Irish. The land was to be divided into portions of 2,000, 1,500 or 1,000 acres apiece, and the greater and better part was assigned to the settlers, who were each to build a castle or a walled enclosure containing a stone house. They were not to alienate their land to Irishmen or to let Irishmen hold under them. The Irish cultivators were to be removed to such lands as had been assigned to their countrymen or to other desolate parts of Ireland. The estimates of the total acreage forfeited and of the proportions assigned to English and Scotch settlers, servitors and natives differ in the most bewildering fashion. But the fact remains beyond dispute that a large proportion of the most fertile land of Ulster was torn from native proprietors, who had mostly committed no overt act of rebellion, and given to foreign colonists. The city of London alone received almost the entire county of Coleraine, undertaking, amongst other things, to rebuild the ruined town of Derry, which thus gained the new name of Londonderry, afterwards extended to the county.[1]

As in former plantations, the designs of the government were imperfectly executed. Some of the undertakers who received lands never came near them, and the native peasantry in most places remained on the soil as labourers under new masters. Yet the Ulster plantation was in one sense successful. It grew into a powerful and prosperous colony large enough to keep its distinctive character. The natives who had no share in its opulence remembered with implacable hatred how they had been robbed of their lands, and the plantation under James was the direct cause of rebellion and massacre under Charles. Other plantations in Wexford, Longford, and the district of Ely O'Carroll were undertaken in the later years of Chichester's government with as little regard for justice and humanity. The policy of civilising the people was more and

[1] *Calendar of State Papers*, Ireland, James I., iii., 208; Miss Hickson, *Ireland in the Seventeenth Century*.

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more abandoned for the policy of turning them off the land. The Irish remained in a constant fear of attack upon their religion and their property which kept alive all the bitter memories of the past and the hunger for revenge and freedom in the future. CHAP. II.

Almost at the same time with the plantation of Ulster was founded the colony of Virginia, a term which then included a vast and indefinite portion of North America. Two attempts to colonise there had been made without success under Elizabeth. In 1602 an expedition promoted by the Earl of Southampton and commanded by Bartholomew Gosnold had visited the coast of North Virginia, the region known later as New England. With the conclusion of peace Englishmen again turned their thoughts to Virginia under the mistaken belief that gold might be found there. Sir Ferdinando Gorges, governor of Plymouth, Chief Justice Popham, and other men of note, resolved to found a new Virginian colony. In April, 1606, the king granted a charter which declared Virginia to extend from the thirty-fourth to the forty-fifth parallel of north latitude and established two joint-stock companies to colonise, the one Northern and the other Southern Virginia. The companies were to bear all the charges and to reap all the profits of colonisation, but they were to act under the supervision of a council at home chosen by the king. Each colony was to be administered by a council on the spot, chosen in the first instance by the king, but afterwards filling up its own vacancies. The settlers were to enjoy all the liberties and franchises of Englishmen at home, but they were not given any share in the government.

The company for colonising Northern Virginia, being chiefly composed of west countrymen, came to be known as the Plymouth Company. In May, 1607, it sent forth an expedition which struck the coast of what is now Maine, and founded a small settlement on the Kennebec River. But the settlers, finding no gold and suffering many miseries, lost heart and returned to England in the following year, leaving that region to be occupied some years later by men whom religious enthusiasm had steeled against pain and danger. The company for colonising Southern Virginia, known as the London Company, sent

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CHAP. II.

out in December, 1606, three small vessels carrying 105 persons, and commanded by Captain Christopher Newport. On April 26, 1607, they made the mouth of Chesapeake Bay. They then explored what has since been known as the James River, and at length chose a site on which to build Fort James, better known as Jamestown, the first enduring settlement of Englishmen on the North American continent. But miserable was the beginning of a work destined to such wonderful success. Disease and want swept away half of the little band before the close of 1607, while feuds within and the dread of the Indians without filled up the wretchedness of the survivors. In January, 1608, Newport, who had gone back to England with a cargo, returned with supplies and a reinforcement of 120 men; and in September he returned yet again with more. But these settlers, unskilled in useful labour and distracted with the hope of finding gold, could not raise their own food, and would have died had they not got some corn from the natives. That the colony survived so many hardships and so much misconduct was due chiefly to the energy and resource of one bold adventurer, the famous John Smith.

The company then desired and obtained a new charter, dated May 23, 1609, which remodelled all the provisions of the first. It declared that the sphere of the company should extend 200 miles north and 200 miles south of Old Point Comfort. It abolished the dual system of a council appointed by the king to govern while the company was to trade, and named a new council, in which vacancies were to be filled by the choice of the members of the company, thus ensuring the company's independence. It also abolished the local council in Virginia, transferring the administration to a governor with absolute power appointed by the council at home. The first governor was Thomas West, Lord Delawarr. Nine ships with 500 fresh settlers were despatched to Virginia. One of the ships was lost at sea and another wrecked on the Bermudas, and those recruits who at length reached Jamestown proved far worse than any who had gone out before. Again cold and hunger and disease so ravaged the colony that in May, 1610, there remained but sixty starving wretches. When the shipwrecked men from the Bermudas arrived, the whole company resolved to abandon Virginia and sail for Newfoundland. But

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CHAP. II.

before they had reached the mouth of the river they met Lord Delawarr coming up with three ships. He readily persuaded them to turn back, and with the fresh hands and supplies that he brought succeeded in re-establishing the colony, which throve under his firm and just rule. Although he was soon disabled by sickness and forced to return, he had given an impulse which was never lost, and by 1622 the English population of Virginia numbered 4,000 souls.

Scotland, although united with England under one king, still remained unlike the southern realm in almost all respects. There James steadily pursued his great aim, the absolute subjection of all classes to the crown. In the Scottish parliament the nobles alone were fully represented, and the nobles he had already brought into subjection, while his residence in England rendered useless those sudden risings and attempts to seize the person of the king to which the nobles had been so much addicted in the first period of his reign. Moreover, the nobles were for the king against the Kirk, some because at heart they clung to the Church of Rome, more because they disliked the restraints imposed by a system at once ascetic and democratic. But the Kirk, in spite of reverses inflicted by James, was still powerful and haughty enough to awaken all the jealousy and dislike that he was capable of feeling. Its strength lay in the devotion of the middle class and in its organisation, popular and independent of the royal will, which gave the general assembly the force of an ecclesiastical house of commons. James had, with much trouble, revived the episcopal office, but the bishops, with little power and less moral influence, formed no living part of the ecclesiastical system on which they were imposed by the will of the sovereign. He resolved, however, to go on with his work, to cripple the presbyterian system and to enlarge the authority of the bishops.

By law a general assembly should have been held once a year, although the time and place were to be fixed by the king. James after becoming King of England resolved to have no more general assemblies, and therefore prorogued the assembly which should have met at Aberdeen in July, 1604. In June, 1605, another prorogation was announced. Nevertheless, nineteen ministers met at Aberdeen, constituted themselves an

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CHAP II. assembly and chose a moderator. Thence the king's commissioner, Sir Alexander Straiton of Lauriston, interposed, and bade them return to their homes under pain of outlawry. He afterwards alleged, and they denied, that he had warned them beforehand not to assemble. Six of their number were called before the council in Edinburgh to receive sentence for their transgression, and on refusing to acknowledge its jurisdiction were prosecuted as traitors, and by much straining of the law were convicted. But public feeling forbade their execution, and they were only banished, while some of their brethren were confined to various places within the kingdom. James did not allow a general assembly to meet till 1610.

In the meantime the king was free to carry out the restoration of episcopacy and perfect his own control over the Kirk. The parliament of 1606 gave him power to endow the bishops with Church lands in the possession of the crown, and declared his authority supreme over all persons and causes whatsoever. In 1610 the king, of his own prerogative, set up a court of high commission in each of the two archiepiscopal provinces of St. Andrews and Glasgow. In the same year a general assembly chosen under royal influence and sitting at Glasgow made the bishops moderators of the diocesan synods with power to ordain ministers and to exercise discipline. Archbishop Spottiswode and two of his brethren then went to England to be duly consecrated. Thus James achieved his greatest success as King of Scotland. Not content with asserting that the civil ruler had no jurisdiction over things spiritual, the presbyterian clergy had encroached on his province, had claimed to speak in politics with the authority of prophets of the Lord, and had rated and menaced him in case of his not obeying. He had retorted by putting them under the control of men who were really his instruments and would be swept away but for his power. Yet his victory was as superficial as the means to it had been violent and unfair. The majority of earnest protestants in Scotland, overruled but not convinced, were still presbyterian at heart, and nothing proved more fatal to the house of Stuart than the alliance between the bishops and the crown.

The union of the crowns, which had given James such an advantage over the Kirk and the nobility, also enabled him to take severe, and in some degree, effective measures against the

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lawless inhabitants of the borders, highlands, and islands. Soon after his accession he named commissioners with very ample powers for the pacification of the borders. Many real or supposed criminals were hanged; multitudes were banished; those who remained were disarmed; and although the difficult country and its fierce inhabitants could not be transformed in a few years, the old anarchy of the borders was quelled for ever. To the highlands the extirpation of the clan Macgregor was a terrible lesson. The chiefs of the southern isles were brought by mingled force and cunning to join in the band and statutes of Icolmkill for the furtherance of order and civilisation among their people. Repeated although unsuccessful attempts were made to plant a Saxon colony in the remote island of Lewis. But the highlands were saved by their vast extent from the fate of the borders and it was only on their outskirts that the king was really obeyed.

For some years after the treaty with Spain, English foreign relations were simple and uneventful. The suggestion of a marriage between the king's eldest son Henry, who was created Prince of Wales in 1610, and an infanta was renewed once or twice, but was not taken seriously. Several causes kept up irritation between the two kingdoms. In spite of the treaty Englishmen in Spain were often molested by the Inquisition. English ships trading, not only to the Indies but to the Mediterranean, often suffered at the hands of the Spanish authorities wrongs for which it was hard to get redress. From time to time the English government heard of plots against King James encouraged by the Spanish government. When the Dutch and the Spaniards, alike wearied by the endless war, seemed about to make peace, the king and Salisbury were at first alarmed by the thought that the Spaniards would then be free to attack England. In June, 1608, they made a treaty with the United Provinces for mutual defence in case either should be assailed by Spain. But since Philip would only acknowledge the independence of the United Provinces on conditions which the Dutch declined, the negotiation ended, not in a definitive treaty, but in a twelve years' truce, signed on March 30, 1609. Thus the first period of wars arising out of the Reformation closed and Europe had an interval of rest before

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CHAP. II.

the outbreak of the Thirty Years' War. How uncertain was even that short repose appeared by the events of the following year.

In Germany the two religions had not yet come to a decisive trial of strength. Each prince had the right to determine the religion of his own territory, and every territorial gain was precious to the one side or the other in view of the approaching struggle for existence. John William, the catholic duke of Cleves and Juliers, died in March, 1609, without male heirs. His dominions were of some account in themselves and of the utmost strategic value in case of a general war between catholic and protestant states. Among those who claimed the succession the Electoral Prince of Brandenburg and the Count Palatine of Neuburg, both protestants, could allege the best title, but the Emperor Rudolf, asserting his jurisdiction in such cases, ordered the Archduke Leopold to sequestrate the territory until he had given sentence. Leopold invaded the duchies and took the town of Juliers, whereupon the claimants appealed to such foreign powers as were likely to uphold the protestant cause, or withstand the house of Hapsburg. The kings of France and England and the United Provinces promised their assistance and the confederacy of German protestant princes, known as the Evangelical Union, took the same side. The emperor might have expected support from his cousin, the King of Spain, and from those German princes who had just formed the Catholic League. But the catholic forces were so unequal to the contest that a protestant victory seemed certain, when Henry IV. was murdered by Ravaillac on May 14, 1610.

His widow, Marie de Medicis, a weak and devout woman, succeeded to the government of France, and Henry's plans were laid aside until they were resumed by Richelieu. But the princes of the Union had already armed, and the English and the Dutch governments had each agreed to send 4,000 men to their aid. The Dutch troops were to be commanded by Maurice, Prince of Orange, and the English by Sir Edward Cecil, nephew of the treasurer. Even Marie de Medicis could not afford to leave Juliers in the possession of the Archduke Leopold, and promised a contingent. Before it could arrive, Maurice, with the Dutch, English, and German troops, had begun the siege of Juliers. The town surrendered on August 22

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CHAP. II.

and was entrusted to the princes of the Union. James was as unwilling as Marie de Medicis to meddle further in the debate concerning the succession to the duchies, which remained open for many years, but he concluded a defensive alliance with the French, which was the more necessary as the murder of Henry IV. had shaken the balance of Europe. He also encouraged a proposal that his daughter Elizabeth should marry Frederick, the young elector palatine, the foremost among the Calvinist princes of the empire. James thus appeared ready to follow in the footsteps of Elizabeth, and to take those measures against a catholic reaction on the continent which would naturally be expected from the most powerful of protestant sovereigns. To watch over the safety of the protestant Churches, while refraining from aggression upon the Church of Rome, would have been a noble, although difficult policy, which might have made James powerful abroad and popular at home. But his own feelings urged him in a different direction, where success proved impossible and failure ignominious.

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CHAPTER III.

THE RISE OF CARR AND OF VILLIERS.

CHAP. III. AFTER James had dissolved his first parliament ten years passed with only a single session, that of the brief and sterile parliament which met in 1614. As the king was unwilling to encounter the house of commons, he should have studied economy, but the habits which he himself deplored were incurable. His own profusion to favourites and the dishonesty of his servants became more scandalous than ever. For the time some relief was got by shifts and devices. Many counties agreed to compound for release from the royal right of purveyance. In order to meet the deficiency of the Irish revenue, the new dignity of baronet was instituted and offered for sale. All persons of good repute, being knights or esquires and possessed of land to the value of £1,000 a year, might become baronets by paying £1,080 in three annual payments. Salisbury resigned for the king's benefit his very substantial profits as master of the court of wards. Such expedients could at best delay the evil hour when a new parliament must be summoned.

Arabella Stuart, the king's cousin, whom some would have welcomed on the death of Elizabeth as sovereign in his stead, had disarmed resentment and suspicion by her gentle and retiring demeanour. James had treated her well, had augmented her pension, and had given her a place in the circle of ladies immediately surrounding the queen. For a while she declined all offers of marriage. In 1609, on some ground now unknown, she was arrested and brought before the council, but cleared herself so completely that she was at once restored to freedom and to favour, with the king's assurance that she might marry any of his subjects who could gain her heart. The unhappy caprice of love, it should seem, rather than ambition led Arabella

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CHAP. III.

soon afterwards to plight her troth to young William Seymour, son of Lord Beauchamp and of Catherine Grey, and great-grandson of Mary, Duchess of Suffolk, the younger sister of Henry VIII. Their marriage would have blended Arabella's rights in the order of succession with the rights of the house of Suffolk, which by the will of Henry VIII. was to have taken the crown after the failure of his own descendants. We cannot wonder, therefore, that when their mutual promise became known, Arabella and William were questioned by the council and commanded by the king himself to lay aside all thought of marriage. They promised to do so, but the young cannot always sacrifice love and bliss to reason of state, and in May, 1610, Arabella privately married William Seymour.

Their marriage was soon discovered, and then Arabella was put under restraint at Lambeth, while her husband was sent to the Tower. As they still contrived to exchange letters, the king ordered that Arabella should be removed to Durham, and remain in charge of the bishop. Arabella set out on her journey in March, 1611, but became so ill that she was allowed to make a long stay at Barnet. While there she managed to contrive with her husband a joint plan of escape. Arabella, disguised in man's attire, reached the vessel which was to carry them away, and although her husband had not arrived, her attendants would have her sail. Seymour, who came too late, was lucky enough to find a collier, which carried him to Ostend. But Arabella, who caused her captain to shorten sail in hope of hearing news of her husband, was taken by a king's ship not far from Calais. This time she was sent to the Tower, where she lost her reason, lingered four years, and died. As sovereigns have been generally taught to take selfish fear for a sense of public duty, it would be unfair to condemn King James. Probably there was not a monarch in Europe who under the same circumstances would not have done likewise. Nor does it appear that anybody at that time blamed him, or felt compassion for Arabella Stuart.

In the following year, the lord treasurer, Salisbury, died at Marlborough on May 24. To James the loss was irreparable. Never again had he a statesman for prime minister. Thenceforward he was guided by his own caprice or that of some foolish favourite. There was, indeed, a man who might have

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CHAP. III.

more than filled the void left by Salisbury. Francis Bacon was then fifty years of age. The son of that Sir Nicholas Bacon who for twenty years had held the great seal under Elizabeth, and the nephew by marriage of Lord Burghley, Francis may be said to have been born in the highest rank of the public service. From boyhood he was known to the queen, who seldom failed to discern and to employ useful ability. Yet Francis was singularly unsuccessful in getting preferment. Sir Nicholas died before he could do anything for him, and Lord Burghley hoarded all his influence to help his own sons. At length Francis found a friend in the warm and generous Essex, the favourite at once of the sovereign and of the people. By accepting the Earl's patronage, Bacon placed himself in feud with the house of Cecil, above all, with Robert, the treasurer's second son, a calm but resolute and politic adversary. Essex, after trying in vain to have Bacon appointed solicitor-general, comforted him with a present of landed estate very acceptable to a younger son and a barrister in no large practice. Soon afterwards the imprudence and passion of Essex wrought his fall. Bacon, as one of the queen's counsel, was employed in the prosecution of Essex, and did his part towards getting a conviction; apparently incurring some blame at the time, since he afterwards wrote an apology for his behaviour, a thing which wise men rarely do. Even this service brought no promotion. At the accession of James, Bacon, in middle life, was still vainly seeking a field for his extraordinary powers. James, although he had been the friend of Essex, and had given his confidence to Robert Cecil, felt no grudge against Bacon. Enjoying more than any other of our kings the conversation of wise and learned men, he did not fail to recognise Bacon's rare gifts, and from time to time showed him goodwill.

Bacon's deep knowledge of mankind, impressive eloquence, and perfect self-command would have made him notable in any assembly, and in parliament Bacon was heard with favour and attention. In the management of Goodwin's case, in the proceedings for the extinction of the military tenures, and in the debates on the union with Scotland, he took a distinguished part. Equally accomplished as a courtier and a senator, he by turns opposed or seconded the king's views without ever forfeiting the king's regard. Cecil might dislike the politician

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and Coke might sneer at the lawyer; but such talent, exerted on such a theatre, could not be ignored. Bacon became solicitor-general in 1607 and attorney-general in 1613. During the next eight years he may be regarded as one of the chief public men of the time. CHAP. III.

The world still concerns itself with Bacon's character, not because of his political achievement, which was small, but because of the great place which he fills in philosophy and in literature. He was one of those men of delicate constitution and robust intelligence in whom the ordinary scale of the passions is reversed. Intemperance of any kind was foreign to his nature, and none of his affections seems to have been strong. From all that he has written we can gather nothing to show that he ever lived in close communion with any other person, or that he ever keenly felt the death of any man or woman. But he had ambition of many sorts. He once told Lord Burghley that he had as vast contemplative as he had moderate civil aims; and the half of this avowal at least was true. In the bold spirit of the renaissance, the spirit of Lionardo or of Galileo, he had taken all knowledge to be his province, a province which he hoped not only to conquer but to reform. His civil ambition was stronger than he knew. His birth, his breeding, his talents entitled him to expect a great public career. The best of his life had been spent in the sickening pain of hope deferred, and he was approaching old age, as men then reckoned it, when he at length rose to high office, but he was as elastic and eager as ever. Beside the fulness of knowledge and a part in great affairs, Bacon had yet another object of desire. He loved the outward and visible signs of success—wealth, pomp, attendance, luxury. It is a fashionable cant to assert that genius has no such craving. Bacon is one of many instances to the contrary. Here also privation had sharpened appetite. For many years he had been forced to pinch and to run into debt. He came late to the world's banquet, and even his self-mastery could not resist an indulgence the more overpowering because so long withheld.

Those who would understand Bacon's political opinions must bear in mind the circumstances of his early years. He belonged to that circle of official families which under Elizabeth produced so many able men, and did so much good work. He

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CHAP. III.

had been formed on that Elizabethan system which had proved so successful, but was more akin to the system of certain continental monarchies than to anything known in England for the last two hundred years. In that system the sovereign was the centre and her servants governed. Parliament was an occasional assembly which voted taxes, made laws, and expressed, with all due reserve, the sense of the nation. Bacon took this constitution for granted. He thought parliaments useful within the bounds fixed by Elizabeth, but scarcely fit for more power than they had enjoyed hitherto. Genius is naturally constructive, and Bacon would gladly have been a reformer, but he would have wished reforms to originate with the crown. Had Bacon been allowed his way he might have prolonged the life of the Tudor polity for many years. He would have watched public opinion; he would have corrected patent abuses; above all, he would have touched ecclesiastical questions with a light hand. No man of his school was willing to grant unbounded freedom of religion, but no man of any school could have been less a fanatic than Bacon.

His very breadth of mind perhaps hindered him from fully understanding his own age, which was earnest and narrow. Nor was he one of those iron men who impose themselves on an unwilling world or perish in the effort. He preferred to study his fellow-creatures and adapt his measures to their foibles. He had learnt by a long and bitter experience that men in power want instruments, not counsellors. He must soon have fathomed the transparent character of James. He must have felt that the king, who valued his services and relished his conversation, was the slave of a self-love which could not accept guidance or even forgive dissent. He seems, therefore, to have acquiesced in what he could not mend. Sometimes he ventured on good advice, couched in terms so deferential that James could not feel displeasure. But he never tried to carry out any of the reforms suggested in his writings or correspondence. He submitted to the reign of favourites like Villiers, paid them court with his usual skill, and was guilty of compliances which did him little honour. As a minister he bore his part in some of the sorriest incidents of the reign of James. On this or that particular his conduct may admit of defence or at least of palliation, but when we

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review the whole, unbiassed by the natural wish to clear the memory of so great a man, we cannot avoid the conclusion that Bacon was not a man of generous instincts or of rigid principle. CHAP. III.

On Salisbury's death the treasury was put into commission, and the king resolved to act as his own secretary. At this time James was anxious to find a wife for his son Henry, Prince of Wales. In 1611 the Spanish ambassador had again informed him that Philip would not refuse the Infanta Anne to the prince, and James listened more seriously than he had ever done before. Among protestant reigning houses he saw none which he deemed the equal of his own. He overrated the power of Spain; he admired and envied the absolute authority of the Spanish king; and he coveted the ample dower which would be given with a Spanish princess. Sincerely wishing to be the peacemaker of Europe, and imagining that mankind are as clay in the hands of sovereigns, he thought that a marriage alliance between Spain and England would end the strife of religions. He therefore sent Sir John Digby as ambassador to Madrid with instructions to follow up Philip's overture. That shrewd diplomatist soon discovered that the offer had not been serious, and that Anne was destined for the young King Louis XIII. Spain was willing to treat, indeed, for the marriage of her sister Maria with Prince Henry, but Maria was only six years old, and the proposal was too illusory even for the King of England. In the following year Philip, then a widower, was disposed to marry the Lady Elizabeth if she would change her religion. But James would not listen to such terms: he had already signed the contract for her marriage with Frederick the Elector Palatine.

All thought of a Spanish alliance having been laid aside, a princess of Tuscany, a princess of Savoy, and a French princess were in turn suggested for the Prince of Wales, while he, wiser than his father, declared that he would never marry a wife who differed from himself in religion. In 1612 Henry was eighteen years of age, full of vigour and spirit, with the martial and adventurous instincts proper to youth. The nation, disappointed in a king who had no kingly attributes, found comfort in idolising his heir, and credited Henry with talents and virtues which were never brought to the test of practice, while the puritans regarded him as their friend and hope. An imprudent regimen laid him open to an attack of typhoid fever, and he

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CHAP. III.

died on November 6. As usual in that age, when accurate diagnosis was unknown and the untimely death of a great personage was always ascribed to foul play, men said that the prince had been poisoned, and some, refining on absurdity, named his father as the criminal.

The year 1612 is still more memorable for the last burning of heretics on English soil. Bartholomew Legate, a London tradesman, who had caused scandal by his Arian opinions, refused to acknowledge the jurisdiction of the consistory court and remained obdurate against the arguments of King James in person. In February, 1612, he was brought for the last time before the consistory court. As Coke had disputed its competence to deal with a cause in his opinion suitable for the high commission, it was strengthened by the presence of Neile, Bishop of Lichfield, Buckeridge, Bishop of Rochester, and Andrewes, Bishop of Ely. After sentence had been pronounced by the Bishop of London, the lord chancellor issued the writ *de hæretico comburendo* and Legate was burnt in Smithfield on March 18. Edward Wightman, a crazy anabaptist who fancied himself the Messiah, having attracted notice by a petition to the king, was sent before Bishop Neile for examination. After he had been tested in a number of conferences by Neile and other divines, he was taken to Lichfield and there sentenced by Neile. Wightman recanted at the near approach of death, but, as he would not abide by his recantation, the writ was renewed and he was burnt in April. The public raised no protest, and even the honest and intelligent Casaubon could dwell on the execution of Legate as honourable to King James. Yet opinion was insensibly changing, and no such execution was attempted in after times.

On February 14, 1613, the marriage of the Lady Elizabeth and the Elector Palatine was celebrated with much splendour. Neither Elizabeth nor her husband was yet seventeen years old. She was a handsome, spirited girl, with unusual powers of attraction, yet destined to a life of almost unbroken misfortune, for her lord was one of those men who, failing to understand their own mediocrity, challenge great trials, under which they succumb without honour. To the nation the marriage was pleasing as a fresh link to bind England to the protestant cause. To the king it was a new embarrassment, for, despite his want

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of money, he expended no less than £60,000 on the feasts and pageants which followed the marriage. CHAP. III.

Not long afterwards Spain sent to the English court one of its ablest diplomatists, Don Diego Sarmiento de Acuña, better known by his later title of Count of Gondomar. Sarmiento possessed to the full that intrepid assurance which distinguished his countrymen, and with it a keen insight into human nature. He soon came to know the king as thoroughly as if they had been friends from boyhood, and by a dexterous alternation of insolence with flattering courtesy enslaved him altogether. The English nation he did not understand so well. Like most Spaniards, he thought that protestantism had its origin in royal caprice, and would fall when no longer upheld by royal authority. Let the persecuting laws be repealed, or even suspended, and such multitudes would rejoin the true Church that in a little while it would be supreme again. The position which Sarmiento gained at court was soon noticed by the public, and the hatred felt for his nation was concentrated upon the ambassador. Owing to this circumstance, and the very general desire of explaining all the faults and follies of kings by the sinister suggestion of those about them, Sarmiento became a hero of myth. His power and his malice were supposed to account for every evil that befel the state; and only in recent times has he been reduced to his real proportions in the history of England.

For the present the public gaze was fixed upon a royal favourite who had risen higher than any mere courtier since the time of Piers Gaveston, and who was destined to a fall only less abrupt and terrible. Robert Carr, a younger son of an ancient border house, had attended the king to England in the quality of a page, and afterwards entered the service of Lord Hay. He had the luck to be thrown from his horse and break his arm at a tilting match where James was present. His comely person and his hurt were enough to ensure the king's good graces, and he was knighted at the close of 1607. In 1609 he received a grant of the manor of Sherborne, which had once been Raleigh's; in 1611 he was created Viscount Rochester, and was the first Scot to take his seat in the house of lords; and on Salisbury's death he was employed to conduct the king's correspondence, although without the title of secretary. Overshadowing all the rest of the royal favourites, and able to marry almost where

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CHAP. III.

he would, he fixed his desires upon another man's wife, Frances, Countess of Essex, and daughter of the Earl of Suffolk.

When only thirteen years old Frances Howard had been married to Robert, Earl of Essex, the son of Elizabeth's unhappy courtier, himself scarcely a year older. Some time afterwards, in obedience to a fashion then beginning, the earl was sent to complete his education by a tour on the continent. Nearly three years passed before he returned to his countess, who had grown into a lively and beautiful young woman, and, having been left almost a stranger to her husband, had already begun to feel a passion for the handsome and all-subduing favourite. Reduced to live under the same roof with the earl, whose stolid phlegmatic temper was ill-fitted to attract her levity, she passed from indifference to loathing, and obstinately remained a wife only in name. After three years of mutual wretchedness she bent all her thoughts to procuring a divorce. Her father and her great-uncle the Earl of Northampton readily seconded Frances, for when she had been set free, her marriage with Rochester would secure them in possession of the confidence of the king. Rochester and the Howards easily obtained from James a commission to try the validity of the marriage between the Earl and Countess of Essex. It was issued on May 16, 1613, and named as commissioners Archbishop Abbot, Andrewes, Bishop of Ely, King, Bishop of London, Neile, Bishop of Lichfield and Coventry, and some six other persons.

It was not seemly that the head of the Church and State should commission grave divines and learned civilians for such a business. James must be taken to have known what soon became apparent to the archbishop. Although Abbot was not a very acute man, he was an honest one, and when he discovered that the proceeding was merely a trick to gratify the irregular desires of Rochester and Lady Essex, he tried, although in vain, to retire from his place in the commission. As the other commissioners were equally divided and the archbishop's action was an alarm to public opinion, Rochester and the Howards felt the need of strong measures, and persuaded James to reinforce the court with two more bishops, Bilson of Winchester and Buckeridge of Rochester, who could be trusted to give judgment in favour of the countess. The divorce was decreed on September 25 by seven votes, the archbishop and four others recording a

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protest. It may awake some surprise that Andrewes, eminent among his brethren both by character and by talent, should have been one of the seven. But even the best prelates of this age were too often courtiers, and the Church paid dearly for its close alliance with the crown.[1] CHAP. III.

Rochester was created Earl of Somerset, and before the close of the year he married Frances Howard, amid such high-wrought flattery, obsequious congratulations, and costly presents as had never perhaps marked the marriage of a subject in England. He never aspired to control public affairs, but he wielded all the personal influence he could desire. Without first presenting a bribe to Somerset, it was useless to present a petition to the king. Somerset is said to have informed the king of every bribe he took. Nor did the king abuse his confidence; for Somerset was by far the richest man in England, and was reported to have spent £90,000 in a twelvemonth. Probably no other subject at that time had a revenue of £20,000 a year.

Only one circumstance, yet unknown, was wanted to point the moral of Somerset's marriage. In his rise to fortune he had owed much to the advice of a friend, Sir Thomas Overbury. The verse and prose which Overbury has left are of very slight value, but he had some talent for society and affairs, and attached himself to Carr in the hope of rising by and with the favourite. He helped Carr in his intrigue with Lady Essex, but opposed their marriage, whether it were that he thought a wanton an undesirable wife, or that he dreaded a reconciliation with the Howards, whom he had incited Carr to oppose. It has been conjectured that Overbury became possessed of knowledge which would enable him to bar the divorce. As Lady Essex hated Overbury and was resolved to put him out of her way, she used her ascendency over Carr against his friend, and persuaded him to enlist the king in the business. James bade Archbishop Abbot suggest to Overbury that he should go as an envoy to the continent. The unsuspecting Overbury asked Carr to interpose with the king that he might be excused;

[1] Andrewes would not have departed from justice for any personal gain, but the boundless deference for the sovereign then so common and the wish to secure his protection of the established ecclesiastical order were more intense and subtle temptations.

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CHAP. III.

but Rochester did the reverse, and Overbury received the formal offer of a mission to a foreign court. His refusal was treated as insubordination, and punished by committal to the Tower on April 26, 1613. But worse awaited him, for Lady Essex had resolved on his death, and through her paramour's control over the king had every means of safe and easy execution. Orders were given that Overbury, although in ailing health, should have no servant, nor be allowed to communicate with any person outside. Sir William Waad, lieutenant of the Tower, was replaced by Sir Gervase Helwys, a creature of Rochester and Northampton. The particular charge of Overbury was given to a keeper named Richard Weston, who owed his place to Lady Essex, and was an old servant of Mrs. Turner, a woman of bad character, employed to poison Overbury. The poisoning itself was retarded by sundry miscarriages and delays; but at length the thing was done, and Overbury expired on September 15, a few days before Lady Essex gained her divorce. For the time nothing was suspected, and Overbury's death passed without comment.

The year 1613 was marked by a case less notorious than the Essex divorce, although more significant for political history. The king had issued a commission to inquire into the flagrant abuses of the naval administration, and had authorised the commissioners to punish offenders. The Earl of Nottingham, lord high admiral, and Sir Robert Mansell, the secretary to the navy, disliked the commission and desired to limit its powers. They consulted Whitelocke, an eminent counsel, who had spoken vigorously against impositions in the last parliament, and Whitelocke gave an opinion to the effect that the penal clauses in the commission were void as exceeding the power of the crown and breaking the clause in Magna Carta, which promises to all subjects a trial according to law. Mansell, for obtaining this opinion, and Whitelocke for giving it, were called before the council. It was there laid down by Bacon, speaking as attorney-general, that the king's prerogative and absolute power were part of "the law of the land" mentioned in Magna Carta. That clause, therefore, did not restrain him from issuing what judicial commissions he pleased, where reasons of state could be alleged. Even to give an opinion detracting from this power was an offence. The council adopted this reasoning by its decision,

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and Whitelocke and Mansell had to purchase their freedom by a humble submission. It is patent that reasoning of this kind must end in the recognition of an unlimited judicial power in the crown. CHAP. III.

The crown still remained weak in its poverty. The same causes produced the same emptiness of the treasury. In spite of the repayment by France and the United Provinces of moneys lent by Elizabeth; in spite of the sale of baronetcies and crown lands; in spite of privy seals sent out to borrow from rich men, income continued less than expenditure, revenue was anticipated, and indebtedness grew. The need of summoning a new parliament became clearer and clearer. But then it would be necessary to court the goodwill of the house of commons. Advisers were not wanting as to the method. Sir Henry Neville, a distinguished member of the former parliament, drew up a memorial advising the king to call a new one immediately, and to win its goodwill by offering certain boons before they could be asked, especially by renouncing his right to levy impositions. The promises thus made should be carried into effect without delay. If this were done the best might be hoped, for the leaders of the last parliament had not been merely factious in their resistance to the crown. Bacon, in a letter to the king, exhorted him to put off the person of a merchant and contractor. Parliament should be called rather for business of state and to make laws than to be asked for grants. The demand for money should be brought in by the way. "I for my part," Bacon wrote, "think it a thing inestimable to your majesty's safety and service that you once part with your parliament with love and reverence." James was not yet convinced that he must meet parliament. But early in 1614, his want of money was so sharp as to leave him no choice. His debts had risen to £700,000, and the annual deficit amounted to £200,000. In February, the privy council advised him to call a parliament, and he yielded. The council then settled a list of bills which, it hoped, would tempt the commons to be generous, but it was not free to include the topics of the Church or of impositions, and unless they had their will with regard to these, the commons would hardly be satisfied.

The crown had repeatedly used its influence at elections in the past, and might indeed be said to choose the members for

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CHAP. III.

a large number of the petty boroughs created by the Tudors. With the growing consequence of the lower house every new means of getting votes was welcomed by the king's advisers. When, therefore, certain courtiers undertook to do their best to secure the return of well-affected persons, they were duly encouraged. But whatever help these "undertakers" were able to give was outweighed by the ill-will which their meddling aroused. Servants of the crown and supporters of its policy were generally in disfavour. All the leaders of opposition in the old parliament, such as Whitelocke, Hakewill, and Sandys, were returned. More than half of the new house of commons were men who had never sat there before. Among them was one who will be remembered as long as the history of England is read—Thomas Wentworth.

James thought fit to strengthen his government by appointing a new secretary, who should also be a member of the house of commons, and guide it in accordance with his wishes. He chose Sir Ralph Winwood, a man of high character, who had long been envoy at the Hague and was well acquainted with the affairs of the continent. As a staunch protestant and a bitter enemy of Spain, Winwood was likely to gain the confidence of the commons, but he was unused to parliamentary life and unskilled in parliamentary management. The parliament met on April 5, and showed their temper by receiving the communion in a body so as to exclude any Roman catholic who might have been elected. They chose for this purpose St. Margaret's church, where the service was conducted more agreeably to puritan feelings than at the abbey. Winwood took the earliest opportunity of asking for a grant, and offered on behalf of the king many of the concessions which had been proposed by Neville and others. But the house promptly came back to the subject of impositions and to the old ecclesiastical controversies, and ended by referring to a committee the grievances which had been canvassed in the former parliament. In its anger at the attempt to influence the elections, it summoned a number of the alleged undertakers to the bar. They were examined, but nothing was found to justify penal proceedings.

The commons next asked the lords to meet them in a conference on the impositions. When the lords consulted the judges as to their reply, the judges, by the mouth of Coke,

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CHAP. III.

begged to refrain from giving an opinion, since they were bound to state the law between crown and people, and not to be disputants on either side. The lords, by a majority composed chiefly of privy councillors and bishops, declined the conference. The commons, sore at this rebuff, and further nettled by some saucy remarks of Bishop Neile, broke into a passion, and behaved in a manner which can be understood only by remembering that party organisation and recognised leaders did not exist. They forgot that the debates of the upper house, like their own, were supposed to be private, that the exclusive jurisdiction of either house over its own members was essential to its usefulness, and that freedom of speech could not be ensured to either house unless it were enjoyed by both. Much idle talk ensued, and some absurd motions were made. It was only the interposition of Sir Edwin Sandys, the best head in the house, that saved the commons from calling on the king to punish words spoken in parliament. At length they agreed to demand satisfaction from the lords themselves. After some demur the lords required the bishop to explain, and he disavowed the natural sense of his words. The lords made this known to the commons, adding that they would not hereafter listen to complaints of this kind. The commons, still angry, continued to waste their time in discussing the bishop.

Finally the king, who had complained before, sent a message warning the commons that he should dissolve the parliament if they did not proceed to business. But this only gave a new direction to noise and fury. Christopher Neville and others raved against courtiers and Scotsmen in terms so outrageous that some suspected them of having been set on by the Earl of Northampton, who had been against calling a parliament and desired a dissolution. If it were so, he proved successful. James was enraged to the point of inquiring from Sarmiento whether, in the event of his breaking with the commons, he might count on Philip's good-will; and although Sarmiento returned a cautious answer, he took heart to dissolve the parliament on June 7. It became known as the addled parliament, because it had failed to pass a single statute. The king summoned before the council the members who had been chosen to confer with the lords, and ordered them to deliver up all the notes and collections made for that purpose, which were immediately thrown

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CHAP. III.

into the fire. Four members were sent to the Tower, and Sandys and some others were ordered not to quit London without leave. James poured forth his griefs to the Spanish ambassador, for his kingly arrogance could adjust itself with an entire want of human self-respect.

The king had not parted from his parliament in love and reverence, nor had he obtained any supply. Some of the bishops agreed to offer him the value of their best piece of plate, and they were joined in this loyal contribution by the privy council and the courtiers. The city of London, when asked for a loan of £100,000, replied that it would rather make a gift of £10,000. Then some of the provincial towns and the gentry made gifts. The king naturally improved the hint. Coke, who had lately succeeded Fleming as lord chief justice, restrained him from exacting a benevolence by letters under the great seal; but the council wrote letters to every county and borough inviting contributions, which were expressly stated to be voluntary. Such was the temper of the nation that in more than two months only £500 was subscribed in reply. Even after two years of continuous pressure only £66,000 had been raised altogether. It was felt that parliament was the proper body to grant supplies, and that the new contribution was much the same as the old benevolence. Oliver St. John, a gentleman of Marlborough, having expressed these opinions in a violent letter, which declared that the contribution infringed Magna Carta, and amounted to a breach of the king's coronation oath, was brought before the Star Chamber, and sentenced to pay a fine of £5,000 and to be imprisoned during the king's pleasure. On making a full submission he was excused his punishment.

The discontent shown in the matter of the benevolence seems to have alarmed the government, which found a victim in an obscure country clergyman. Edmund Peacham, rector of Hinton St. George in Somerset, had come into conflict with his bishop, and had been summoned to appear before the court of high commission. A search for papers in his house brought to light a manuscript treatise dwelling on the grievances of the subject, and intimating that they might well call down the judgment of heaven upon the king in rebellion or in sudden death. The treatise was examined by the council and pronounced treason-

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able. The king displayed unwonted eagerness for retribution. Peacham was examined before the council, and justified what he had written, but would disclose nothing. He was therefore put to the torture in the Tower, in the presence of several councillors, but again refused to say anything, probably because he had nothing to say. He seems to have been an insignificant person, of a sour and captious temper, who might easily write in a violent strain, but who had neither talent nor inclination to cause the least trouble in the state. CHAP. III.

Nevertheless, the council resolved to prosecute Peacham for treason. As it was doubtful whether a conviction could be obtained merely because a man had written without publishing a book regarded as treasonable, James ordered the council to take the opinion of the judges individually, not collectively. In this way more pressure could be brought to bear, and the influence of the chief justice would be excluded. Coke protested on the ground that, although the crown might properly consult the judges in a body, this "auricular and particular" taking of opinions was not according to the custom of the realm. The other judges gave the opinion which the council wanted, but Coke declared that Peacham's offence came short of treason on two grounds: first, because the treatise had never been published, and, secondly, because a mere declaration that the king was unworthy to reign did not amount to treason, unless it went on to question his title. Peacham was sent down to Somerset to stand his trial, and was convicted of treason at the assizes; but the government shrank from enforcing the full penalty, and he died some months afterwards in prison.

Bacon, as attorney-general, having been employed in this matter, and having approved himself zealous against Coke, recent historians have sought to apologise for the action of the government. The apology is not complete. The use of torture, it is true, though never sanctioned by law, had been frequent in political cases ever since the accession of the Tudors, and might now be deemed part of the prerogative; but in Peacham's case there was nothing to alarm rulers of reasonably firm mind. James was probably exasperated by his recollections of Scotland, where clerical threats of divine judgment against wicked rulers sometimes went along with forcible resistance to the crown. "The auricular and particular

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CHAP. III.

taking of opinions" has been justified, partly on the ground of precedent, partly on the ground that the king and council feared the ascendency of the chief justice over the minds of his brethren. But the judges had everything to hope and to fear from the crown which had made and could unmake them, while the worst they could expect from Coke would be sullen looks and some rough language. In private consultation those who represented the crown could freely use threats and promises to wring from each individual judge the opinion which they wanted, and by which he must afterwards frame his action in the seat of judgment. Nor can we doubt that Bacon was prepared to use pressure of this sort. He has told us himself that the judges ought to be lions under the throne, which is only a graceful way of saying that they should bend the law to reason of state. "The auricular and particular taking of opinions," even if it had support in precedent, could only tend to the perversion of justice, and Coke, in protesting against it, be his motives what they might, did a notable service to his country.

Soon after these events the great scandal of the reign burst upon the public. Spoilt by undeserved favour Somerset had grown so froward and undutiful that he strained even the king's unreasoning affection. The change becoming apparent to all who hated Somerset and his allies, the Howards, they found a new candidate for that affection in George Villiers, a handsome youth with many external accomplishments, but with his fortune to make, for he was the younger son of a Leicestershire knight who had left him nothing. He had been brought to the king's notice in August, 1614; but Somerset was on the alert, and for a while kept him at a distance. Somerset's enemies then persuaded Archbishop Abbot to use his best endeavours with Queen Anne on behalf of young Villiers. A frivolous woman will sometimes perceive truths which are hidden from privy councillors and fathers of the Church. Her majesty at first assured the archbishop that he was only making a scourge for his own back, but as he persisted, she consented, and desired her husband to make Villiers a gentleman of the bedchamber. James granted her request, knighted Villiers, and gave him a pension of £1,000 a year. His promotion took place in April, 1615. Somerset felt his

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power shaken, and became morose. Yet the king had many returns of affection. When Somerset tried to guard against the future by obtaining a pardon in the fullest terms for all the offences of which he might have been guilty, James browbeat the chancellor Ellesmere, who refused to affix the great seal unless he might have a pardon for himself. James forgot to see that his order was obeyed, and Somerset soon had reason to mourn the neglect. CHAP. III.

It is said that the apothecary's apprentice who had been employed to poison Overbury, having gone over to Flanders, blabbed his secret, which came to the ears of Secretary Winwood, and was by him conveyed to the king. Then Sir Gervase Helwys, learning that he was suspected by Winwood, thought well to confess what he knew. The king thereupon instructed Coke to sift the matter to the bottom. Weston was examined, and he implicated the Countess of Somerset and the other criminals. At Coke's request the chancellor, the Duke of Lennox, and Lord Zouch were joined with him in the inquiry. Somerset took a high tone, declaring in his letters to James that the whole business was a contrivance of his enemies, and asking that the inquiry might be transferred to the twelve judges, apart from any privy councillor. But James refused to interfere with the course of justice. Presently the earl and countess were put under arrest, and the trials of their accomplices began. Richard Weston, Mrs. Turner, Sir Gervase Helwys, and Franklin the apothecary were all found guilty and hanged. In January, 1616, a true bill was found against the earl and the countess as accessories to the murder of Overbury, but their trial was delayed for some months by circumstances unconnected with the charge. On May 24 the countess was put on her trial before the court of the lord high steward. She pleaded guilty and received sentence. Her husband, according to one story, declared that he would not appear before the court and that the king durst not make him. He certainly feigned illness, but his devices were in vain, and he was put to the bar on the day following his wife's trial. The evidence against him was far from conclusive, but that age was less exacting in proof than ours, and most of the peers were unfriendly to Somerset. Besides, they might feel assured that he would not suffer the full punishment of murder. Somer-

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CHAP. III.

set accordingly was found guilty. He and his countess remained prisoners in the Tower for some years, when they were set free, although enjoined to reside in certain places. He received a full pardon a short time before the king's death, and lingered, obscure and forgotten, for some twenty years.[1]

The doting fondness of James was now centred in his new creature. Villiers, more manly and ambitious than Carr, rose fast to the highest place in the kingdom. In January, 1616, he became master of the horse; in April, knight of the garter; in August, Baron Whaddon and Viscount Villiers. In January, 1617, he was created Earl of Buckingham. Land was bestowed upon him to the value of £80,000. He became, as it were, private secretary and confidential adviser to the king. Through Buckingham grave statesmen holding the highest offices had to correspond with their sovereign. No suitor to the king could hope to succeed save by purchasing Buckingham's good word. Only three years after his first introduction at court the revenue of the favourite earl was reckoned at £15,000 a year, a figure equalled by very few of the oldest and wealthiest families in the kingdom. Buckingham was not a man to bear these honours meekly. With much courage and some generous impulses, he was a vain, greedy, overbearing courtier, careless of his master's dignity and the public weal, meddling and dictating in matters far beyond his grasp, and bent on crushing all who failed to pay him deference. Yet in justice these faults must be imputed less to Buckingham than to the king, who forgot all sense and decorum in his infatuation. "You may be sure," he said about this time to the privy council, "that I love the Earl of Buckingham more than any one else and more than you who are here assembled. I wish to speak in my own behalf, and not to have it thought to be a defect, for Jesus Christ did the same, and therefore I cannot be blamed. Christ had his John, and I have my George."

In the year 1616 the contest between the courts of common law on the one side and the chancery and the ecclesiastical courts on the other came to a height. It merged in a more

[1] The reader desirous of further information may consult S. R. Gardiner, *History of England*, ch. xx., and the authorities cited therein; Spedding, *Letters and Life of Bacon*, vol. v.; and Amos, *Great Oyer of Poisoning*, a work which Gardiner declares to be "of no critical value".

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significant contest between the king and the lord chief justice. The real issue between the parties was whether justice should be administered according to strict legal rules or as reason of state might require. And this involved a further issue, whether the law or the will of the king was in the last resort supreme in England. Coke had the courage to maintain almost alone the uncourtly side in this great controversy. Even his superstitious reverence for the common law served him well at a time when resistance to the royal pleasure could be based on tradition only, not on principle. But it is most true that Coke's perverse mind led him to take weak grounds as readily as strong, whilst his vanity construed every seeming affront to himself as an outrage on law and right.

He came into direct conflict with the king when two persons named Colt and Glover brought an action against Bishop Neile, who had received from the crown, to be held *in commendam*, a living of which they claimed the patronage. The matter was referred to the exchequer chamber to be argued there before all the judges. The king sent word to the chief justice and his brethren not to give judgment before they had conferred with him. The judges proceeded to hear the case notwithstanding, and replied to the king that the case turned on the construction of certain acts of parliament, that they were sworn to do speedy justice, and that his letter was contrary to the law. Some time afterwards they were summoned before the king in council to answer for their letter. James urged that in this case he was really a party and should therefore be heard before judgment was given. The judges fell upon their knees and acknowledged their error, although Coke still argued in his own defence. The judges were asked whether, if the king held a case depending before them to concern him in power or profit, and required them to stay the proceedings until they had consulted with him, they would not obey. All the other judges promised compliance, but Coke gave the manly answer that, when the case arose, he would do what was fitting for a judge to do. The king, therefore, thought it necessary a few days later to warn the judges publicly in the Star Chamber against meddling with anything which touched the prerogative until they had consulted with him or the council. "As for the absolute prerogative of the crown," he went on, "that is no subject for the

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CHAP. III.

tongue of a lawyer, nor is it lawful to be disputed. It is atheism and blasphemy to dispute what God can do; good Christians content themselves with His will revealed in His Word; so it is presumption and high contempt in a subject to dispute what a king can do, or say that a king cannot do this or that, but rest in that which is the king's word revealed in his law."

The other judges might pass with a rebuke, but the king could not pardon Coke's stubbornness. He was suspended from service in the privy council and from going circuit, and with humorous malice was recommended to employ his leisure in correcting his reports. Since Coke was inordinately vain of his really profound learning, we need not be surprised that after three months' toil he had only discovered five trivial errors. As he remained impenitent he was dismissed from his office in November, 1616. The precedent was followed by the later Stuarts. It was for the judges to declare the law and for the king to deprive them of their office if they declared it to be other than he desired. It is not strange that the bar supplied the opposition to the crown with many of its ablest and most zealous leaders.

The chancellor, Ellesmere, feeling his decay, had repeatedly asked permission to resign, which had been as constantly refused. At length, obliged by sickness to keep his bed, he refused to set the great seal to any more patents, and thus, though all too late, extorted his freedom. A few days afterwards he died. Bacon, whose talents and services gave him the strongest claim to succeed Ellesmere, was appointed lord keeper on March 7, 1617. He did not owe his place to Villiers, but he had foreseen betimes how high Villiers would mount and had gained his goodwill. The solicitor-general, Yelverton, succeeded Bacon as attorney. Buckingham, who had been offered £10,000 by another candidate for the place, at first opposed Yelverton, but drew back before a formidable resistance in the council, not yet thoroughly broken to his will, accepted from Yelverton a disclaimer of any ill-feeling, and himself carried to the king for signature the warrant for Yelverton's promotion. Yelverton, however, thought it well to wait upon the king soon after and made him a present of £4,000 which the king took with effusive gratitude. Thomas Coventry, recorder of London, became solicitor-general.

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CHAP. III.

The new lord keeper, while giving the favourite much excellent counsel, took care to comply with all his humours, save in one instance, worthy to be recorded as an illustration of the manners of that time. Coke, whose fortitude was not enough to uphold him in disgrace, presently sought to climb back into favour and knew that for this purpose Buckingham's good word was all-important. Buckingham had to provide for many poor relations, among them for his elder brother, Sir John Villiers, a creature as abject in mind and person as estate. Coke agreed to give his daughter Frances to Sir John Villiers and add a portion of £10,000. But his wife, a lady of the highest temper, would by no means consent, and took the daughter out of her father's custody. With the help of Buckingham's mother Coke got a secretary's warrant to recover Frances, broke his way into the house where she had been placed, and carried her off in a summary and brutal fashion. Bacon had seen with natural alarm the approaching alliance between his old enemy and the ruling favourite. He had written to Buckingham, then attending on the king in a visit to Scotland, and to the king himself enforcing his objections to the proposed marriage. Buckingham was not likely to weigh political arguments in such a case, nor James to allow resistance to Buckingham's pleasure. Both master and servant wrote to the lord keeper in terms which ensured submission. On their return to London, poor Frances was married to her contemptible husband. By deference and assiduity the highest of English magistrates, the greatest of living Englishmen, regained the condescending friendship of Buckingham. But one sharp lesson had been enough, and henceforwards his complaisance was without reproach. In January, 1618, he was raised to the dignity of lord chancellor, and some time afterwards he became Baron Verulam and Viscount St. Albans.

In foreign affairs James was still moving towards an alliance with Spain. Soon after the death of Henry, Prince of Wales, James thought it well to seek a wife for his second son Charles, the heir to the crown. Under the influence of his late disappointment with Spain, he turned to France and began treating for the hand of Christina, sister of Louis XIII. But the negotiation made so little progress that in the summer of 1614 he once more thought of a Spanish marriage. Sarmiento,

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CHAP. III.

who understood him better than other Spaniards, advised Philip no longer to require that the English prince should become a catholic before marrying the infanta. Pope Paul V., when consulted, was still against the marriage, but a junta of Spanish theologians, deliberating without knowledge of this fact, resolved that the course advised by Sarmiento would be expedient if it had the pope's approval. Before the close of 1614, and with the French treaty still pending, an informal negotiation had begun between England and Spain.

Meantime the affair of Cleves had taken a new turn. The Count of Neuburg, having joined the Church of Rome and married a catholic wife, sought for Spanish help in taking possession of the duchies, while his rival of Brandenburg appealed to the Dutch republic. The Marquis Spinola, commander-in-chief of the Spanish forces in the Netherlands, came to assist the count, and Maurice, Prince of Orange, to assist his rival, and in the spring of 1614 the duchies were mostly occupied either by Spanish or by Dutch troops. As this state of things menaced the quiet of Europe, James and the Regent of France interposed and in November brought about the treaty of Xanten, by which the two claimants made a temporary partition of the duchies. But the mediators found it impossible to arrange for a general evacuation of the territory by the Spanish and Dutch forces. Quarrels over the whale fishery and the East India trade helped to irritate James against the Dutch and therefore to revive his goodwill towards Spain. In May, 1615, he received the Spanish draft of a marriage treaty, containing among other distasteful things the demand that the children of the marriage should be brought up by their mother, and, when they came of age, should be free to profess the Roman catholic religion. This might have given him pause. But the French were less inclined than ever to accept his terms. James, therefore, continued to negotiate for a Spanish princess, and in 1616 broke off the French treaty altogether.

In the same year the king came to an agreement with the Dutch for the surrender of what were known as the cautionary towns—the Brill, Flushing, and Rammekens, which in the infancy of their republic they had pledged to Elizabeth as security for moneys advanced in the struggle against Spain. England had the right to garrison these towns and the duty of maintaining

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both garrisons and fortifications. After making a truce with Spain in 1609, the United Provinces had undertaken to repay the English advances at the rate of £40,000 a year, and in 1616 the amount still owing was £600,000. But they were impatient to regain possession of towns necessary to their safety and freedom, while a round sum of money was always acceptable to King James. It was agreed in April, 1616, that the Dutch government should pay at once £215,000 in full discharge of their debt, and that the English government should surrender the cautionary towns. As the garrisons cost £26,000 a year, and James would have had to wait fifteen years before the debt was discharged, this was no bad bargain. Moreover, if war between the Dutch and the Spaniards had been renewed, as it was renewed in 1621, he would have been bound to maintain the garrisons indefinitely while the instalments would have been suspended. It was said at the time that the cautionary towns were valuable for political and commercial reasons. But it would have been base to keep as our own towns merely pledged for a debt, and foolish to make the Dutch enemies of England. The treaty for the surrender of the cautionary towns was one of the best acts of James I.

The dull course of forgotten diplomacy was suddenly varied by events which still are fresh in the memory of men; Raleigh's expedition to Guiana and his execution. At the court of James a Spanish and an anti-Spanish faction were always at strife, and, although James usually inclined to the first, the second sometimes gained a momentary advantage. Abbot, the archbishop, and Winwood, the secretary, were anti-Spanish, and at this time could count on the help of Villiers. In the hope of breaking off the friendship with Spain, they procured the release of Raleigh from the Tower in March, 1616. Raleigh had repeatedly sued for liberty and for leave to make a voyage to Guiana, a country which, he said, he had occupied in 1595, and which therefore belonged to the crown of England. He believed that he had found there a wonderful gold mine. Now that he was free he desired a royal commission to take possession of the mine, and the contest at court was renewed.

James was always in want of money. As a protestant king ruling over a protestant people, he could not acquiesce in that papal bull which had reserved the new world to the Spaniards and

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CHAP. III.

Portuguese. But he was then trying to knit a close friendship with Spain. To grant such a commission as Raleigh desired was to invite a Spanish war. For Raleigh's purpose was not merely at variance with the Spanish claim to the whole of America, a claim beyond Spanish power to enforce, and set at nought by the Virginian colony. Guiana, whether actually occupied by Spaniards or not, lay adjacent to valuable Spanish possessions, and an English colony there would be a menace to the Spanish empire. The Spaniards had always done their best to destroy English settlements on the unoccupied islands of the West Indies, and had treated as pirates Englishmen who sought to trade even with those natives of America who were not really subject to the King of Spain. They certainly would not be withheld from doing the like in Guiana by Raleigh's alleged occupation of the country in 1595. Raleigh, who was well aware of these facts and viewed the Spaniards as natural enemies, would, doubtless, hold that force might be repelled by force, and would be glad of any fair occasion to renew a struggle which he thought just, profitable, and glorious. Sarmiento saw in the grant of a commission to Raleigh a deliberate attack on Spain, and protested against such an outrage offered to a friendly state.

As James did not mean to begin a war with Spain, his only honourable course was to refuse Raleigh his commission. But, divided in his own mind and dragged this way and that by the people about him, he authorised Raleigh in general terms to make the voyage to places in South America or elsewhere inhabited by heathen or savage people, to discover profitable commodities, and gave the adventurers a right to whatever they might find, saving a fifth part to the crown. Sarmiento insisted that Raleigh's real purpose was to make enmity between England and Spain by attacking Spanish possessions. James assured Sarmiento that, if Raleigh acted thus, he would send him to be hanged in the great square of Madrid and restore all the booty. He went further and betrayed to Sarmiento what he had learnt from Raleigh under pledge of secrecy, the situation of the supposed mine and the strength of Raleigh's armament. Thus at the same time the king gave Raleigh a commission to do what would almost certainly involve fighting the Spaniards, and promised Sarmiento that, if Raleigh fought the Spaniards, he should suffer death with infamy.

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CHAP. III.

Impoverished as Raleigh was, he lost much time in preparation. On June 12, 1617, he sailed from Plymouth with fourteen ships, carrying 900 men. Contrary winds delayed his voyage so much that he did not sight the mainland of South America until November 11. Sickness broke out, many of his followers died, and he was laid prostrate by fever. He made the coast near Cape Orange and thence sailed northwards past the mouth of the Cayenne River to the Isles of Health. Here he made his final dispositions. Five of the smaller vessels carrying 400 sailors and soldiers were to ascend the Orinoco and seek for the mine. As he was still disabled, Captain Keymis, his devoted follower, was put in charge of the expedition, and his son George Raleigh commanded the soldiers. With the larger ships Raleigh sailed on past the mouth of the Orinoco and came to anchor in the Gulf of Paria, where he could keep guard against the approach of a Spanish fleet. In his former voyage Raleigh had come to know of a Spanish settlement on the Orinoco called San Thomé, situated above the place where the mine was supposed to be. This settlement, he afterwards learnt, had been destroyed by the Indians, and he might infer that there were no Spaniards in that neighbourhood. But the Spaniards had since founded a new San Thomé some way further down the river. When, therefore, Keymis and his men had cleared the delta, they came upon the new settlement below the supposed site of the mine. Keymis readily concluded that he must take San Thomé before he could execute his mission. After landing his men a league from the town, he waited till night when he ordered both ships and soldiers to advance against San Thomé. The Spaniards were prepared, but after a sharp encounter they yielded to heavy odds and the English broke into the town, young Raleigh shouting to his men that this was the only mine they would ever find. He was shot dead in the assault. The town was burnt, but the Spaniards still resisted in the woods, and Keymis, without discovering a trace of the mine, had to retreat.

Raleigh saw that his expedition had failed. Overcome by sickness, sorrow, and disappointment, he reproached Keymis so bitterly that the poor man retired to his cabin and stabbed himself. Raleigh, it is said, proposed to his officers that they should lie in wait for the Mexico fleet, an action which he cer-

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CHAP. III.

tainly would not have scrupled. As they were not disposed to run the risk, he made first for St. Christopher's and thence for Newfoundland. In June, 1618, he dropped his anchor for the last time in Plymouth Sound.

No sooner had the Spanish government learnt of the attack on San Thomé than Sarmiento, whom we may henceforward call by his new title Count of Gondomar, was instructed to demand satisfaction and the exemplary punishment of the assailants. Knowing the king's weakness, Gondomar took the most imperious tone and required him to fulfil his promise of sending Raleigh to Madrid for execution. But though James left to himself might have yielded anything, Raleigh still had some friends in the council, and most of the councillors rejected the thought of such an extreme humiliation. Raleigh was carried up to London and lodged in the Tower. On August 17 he was brought before a committee of the privy council for examination, and then remanded to give time for collecting further evidence. The keeper of the state papers, Sir Thomas Wilson, was set to play the spy and to draw from Raleigh by insidious questions matter which might help towards his condemnation. Something was gained in this way, but a technical difficulty was found in condemning him to death. By his conviction for treason in 1604 he became dead in the eye of the law. He had never been pardoned, and the commission given to him in 1616 did not, it was held, operate as a pardon or restore his civil existence. As he could not be again tried or sentenced, the commissioners suggested that Raleigh should be examined once more and allowed to speak in his defence, and that he should then be executed under his old sentence as a traitor; and this course was adopted by the king with the precaution of holding the examination in private. On October 22, therefore, Raleigh was again brought before the commissioners, and on the 23rd he appeared before the court of king's bench, which awarded execution. On the following day he was beheaded in Palace Yard, meeting his fate with the high courage which became a survivor of the heroic age of Elizabeth. So much had popular feeling relented towards him, and so strong was the disapproval of the king's conduct, that it was thought needful to draw up a declaration of the proceedings against Sir Walter Raleigh, in which Bacon seems to have had the largest share.

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CHAP. III.

The king's treatment of Raleigh admits of formal excuse, but can never be justified to plain men. That Raleigh, with all his genius and valour, was an unscrupulous adventurer is true. None the less it was ignoble to give him a commission without granting him a pardon; it was absurd and cruel to send him on an expedition which must almost necessarily end in his doing what the king had undertaken to punish with death; and it was paltry to execute him under a stale sentence fourteen years old.[1] James was one of those singular persons who, although not wicked, do things of which the wicked would be ashamed. But the picture of the king's folly would be imperfect without adding that, at the moment when he sent Raleigh on his last voyage, he was pushing forward the Spanish marriage. He named a commission to report on the Spanish overtures and suggest the means of trying Spanish sincerity. The commissioners affirmed with no great warmth that there was as much assurance of success as in such a case could be had. James then sent Digby back to Madrid to treat on the basis of the Spanish offers, but reserved the future condition of the English catholics for himself to determine. Digby was to stand out for a portion of at least £500,000 with the infanta.

The death of Secretary Winwood in October, 1617, weakened the anti-Spanish party. He was succeeded by a colourless official, Sir Robert Naunton. Digby found no trouble in negotiating the articles of merely secular import, but on the religious question King Philip would do nothing without the approval of the theologians who were inflexible in demanding terms too high for King James. Thus in the summer of 1618 the marriage treaty came to a stand, and would hardly have been resumed had not the outbreak of the Thirty Years' War given the Spanish king and his ministers a new motive for cajoling James and paralysing England. Buckingham had veered round to the Spanish party in the course of 1617 and had supported Gondomar's demand for vengeance on Raleigh, thus disappointing, as the queen had foretold, the politicians who had introduced him

[1] See Spedding, *Letters and Life of Bacon*, vol. vi., for an unqualified defence of the king's action towards Raleigh. Raleigh's biographers, among whom Edwards, Stebbing and Hume may be especially named, have usually taken the part of their hero. See also *Camden Society's Miscellany*, vol. v., Documents Relating to Sir Walter Raleigh's Last Voyage.

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CHAP. III.

to court, but ensuring his hold on the king's favour. In January, 1618, he was raised to the rank of marquis. Still his power fell short of his ambition so long as the Howards and their dependants held so many great offices and kept a share of the royal confidence. The Earl of Northampton, the lord privy seal, had died in 1614, before the disgrace of Somerset, in which his own fame was tainted. But in the same year the Earl of Suffolk had become lord treasurer. The Earl of Nottingham was still admiral. One of the secretaries, Sir Thomas Lake, was their client. They might have held their ground but for faults which enabled Buckingham in displacing them to gain credit as a reformer.

Buckingham's first attack was pointed against the treasurer. Lady Suffolk, who had long been a taker of bribes, was formally accused in July, 1618; her husband was next denounced; he lost his office and the treasury was put into commission. In the following year Suffolk and his countess were prosecuted in the Star Chamber and sentenced to heavy fines and imprisonment at the king's pleasure. Although the penalty was remitted, Suffolk was driven from public life. Sir Thomas Lake shared his patron's fall. He had been drawn by Lady Lake into a discreditable quarrel with their son-in-law, Lord Roos, which brought them under the correction of the Star Chamber. His successor, Sir George Calvert, a respectable man of business, might be trusted not to withstand the ever-rising favourite. About the same time, Suffolk's son-in-law, Lord Wallingford, was dismissed from his office as master of the court of wards.

There remained the admiral, the Earl of Nottingham, who thirty years before had vanquished the Armada. Although a man of honour, he was old and careless, and jobbery and peculation had flourished under him. He had chosen for treasurer of the navy the most dishonest and shameless of men, Sir Robert Mansell. In 1603 a royal commission had reported on the abuses in the navy, but without any result; and in 1613 orders for a new inquiry had been balked. But in 1618 Buckingham carried the appointment of a new commission which sat to some purpose. The commissioners found that Mansell had kept no proper accounts; that places had been sold in the most impudent manner; that the seamen had been defrauded of moneys due to them; that charges were annually made for the repair of

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CHAP. III.

ships which had disappeared from the navy; that other ships were repaired in such a slow and careless fashion that decay had begun again before the repair was over, and that many of the ships, far from being fit for service, were ready to sink in harbour. After this report Nottingham could not remain admiral. He resigned and his place was taken by Buckingham in January, 1619. As he really wished the navy to be effective, although he was not prepared to drudge with that purpose, he had the commission reappointed as a permanent board. It built two new ships every year, repaired old ones, and by 1623 had raised the number of vessels fit for service from twenty-three to forty-five. At the same time the annual charge of the navy fell from £53,000 to £30,000. Yet inveterate abuses were not altogether uprooted, and a few years later the navy ill-endured the test of a war against Spain.

In the general displacement caused by the downfall of the Howards a new man rose to distinction. Lionel Cranfield had begun life as an apprentice to a merchant adventurer, had married his daughter and had become a merchant on his own account. Lord Northampton, struck with his ability, introduced him to the king, and in 1615 he was appointed surveyor-general of customs. Keen, exact, laborious, Cranfield was admirably suited to sit on commissions of inquiry, to track abuses, and to reorganise departments. By a rigorous scrutiny of the household he saved the king £23,000 a year. Succeeding one of the king's favourites as master of the wardrobe, he made large economies there also. He served on the naval commission and on the naval board. While the king's expenditure was much reduced by the reforms made on Buckingham's motion, the king's revenue was swelled by a remarkable increase in the customs revenue, a consequence of the growing prosperity of England. At Michaelmas, 1617, the commissioners of the treasury had hoped for a balance of revenue and expenditure; at Michaelmas, 1618, they ventured to reckon on a surplus. For the first and last time of his life James was independent. But the Thirty Years' War was soon to draw the king into new outlay, and his reign closed as it had begun in financial embarrassment.

Since the Ulster plantation Ireland had remained quiet. But the catholic landowners were haunted by the fear of further confiscation, and all catholics knew how precarious was the tolera-

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CHAP. III.

tion which they actually enjoyed. The government resolved in 1611 to call the first parliament of the reign, but only with a view to confirm what had been done in Ulster and to harass in new ways the catholic religion. It proposed to bring in a bill banishing the catholic priests and inflicting the penalty of treason on those who returned, besides punishing severely the laymen who received priests into their houses. The county members, it was reckoned, would be equally divided between protestants and catholics, and the ancient boroughs would return a majority of catholics. In order to turn the balance in favour of the crown it was determined to make thirty-six new boroughs, with exclusively protestant corporations, which would be sure to return supporters of the government. In fact, thirty-nine new boroughs were created and members were given to the University of Dublin. Some of these boroughs were created after the issue of the writs, and, according to the catholics, the elections were often unfairly held.

Certain lords of the Pale gave the first signal of resistance by a petition against the new boroughs. When the parliament met in May, 1613, the catholic lords renewed this protest. In the house of commons the catholic minority rejected the lord deputy's nominee as speaker, tried to carry a candidate of their own and at length seceded. Then the catholics in both houses joined in asking leave to send a deputation to lay their grievances before the king. Leave was at length granted and the parliament was prorogued. In July, James received the deputation and resolved to send four commissioners over to Ireland to examine into their grievances. The commissioners reported against the catholics on most points, although not on all. The only concession finally made by the king was that, where a borough had been created since the issue of the writs, the members should not sit in the current parliament. At the same time he ordered Chichester to enforce the laws against recusants, build citadels in Cork and Waterford, and forbid marriages between the settlers and the natives in Ulster. Yet soon afterwards he directed the withdrawal of the bill against catholic priests. The second session of the Irish parliament which began on October 11, 1614, proved very calm, for Chichester, who meant to demand a subsidy, did nothing to provoke the catholics, and the catholics were glad to be let alone. In a third

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session, the following year, the same peaceable temper prevailed. The government accepted an act to remove all legal distinctions between the different races inhabiting the kingdom and another act removing a prohibition on the intermarriage of Irish and Scots; while the houses granted the king a subsidy. The parliament was dissolved, and in November Chichester was recalled after a memorable term of office which had lasted ten years. CHAP. III.

In Scotland James continued to push the Kirk further and further towards conformity with the Church of England. He induced the parliament of 1612 to confirm by statute the restoration of episcopacy. In 1616 he caused a general assembly to be held at Aberdeen, the least presbyterian of Scotch towns, and somewhat difficult of access to ministers from the south where presbyterian feeling was most intense. The assembly gave orders for drawing up a new confession of faith and a new form of public service. But when the king propounded to the bishops five new articles—for the reception of the communion kneeling, for the administration of baptism and the Lord's supper in private houses in case of necessity, for the observance of certain Church festivals, and for the confirmation of children—Archbishop Spottiswoode warned him of the probable resistance in terms so strong that the articles were not pressed on the assembly.

In the summer of 1617 James re-visited his native kingdom. Great was the scandal when an organ arrived for use in the chapel of Holyrood, and when carved figures of the patriarchs and apostles were set up there; still greater when the king caused the privy council to kneel at communion and when Dr. Laud, Dean of Gloucester, preached in a surplice. A bill enacting that whatever the king should determine in the external government of the Church, with the advice of the archbishops, bishops, and a competent number of the clergy, should have the force of law was brought into parliament, but withdrawn before a protest of the more zealous ministers, although some of those protesting were punished. After giving orders that the five articles should be presented to a new general assembly, King James returned to England. The assembly which met at St. Andrews in November showed a strong distaste for the five articles, and their final adoption was delayed until another assembly, held at Perth in August, 1618. Although every

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CHAP. III.

means had been used to ensure a majority, it was only the votes of the nobles and bishops which turned the scale in favour of the king. With the adoption of the articles of Perth the crown seemed to have won a decisive victory over the Scotch clergy, but such victories are more dangerous than defeats. While clerical opposition had been silenced, often by harsh or unfair means, the zealous presbyterian laity were not convinced, and James was only preparing that reaction which, under Charles, swept away with the bishops the authority of the crown.

The king's return from Scotland was the occasion of a manifesto which gave new offence to the English puritans, the *Declaration of Sports*. The puritans differed widely from the mass of the people as to the proper observance of Sunday. Holding that Sunday was the equivalent of the Jewish Sabbath, they required strict abstention on that day from all worldly pleasure as well as all worldly business. To the rest of the nation Sunday was still a mediæval holiday, on which men, after divine worship, might practise any lawful recreation, such as archery, wrestling, or dancing. In Lancashire, where the Roman catholics were unusually numerous and the protestants were largely puritan, some of the magistrates were so active in suppressing Sunday sports that the populace grew impatient. When the king was passing through the county, the favourers of Sunday recreation appealed to him and he decided in their favour. Then the lower class began to abuse their freedom by disturbing public worship. The king, after consulting with Morton, Bishop of Chester, stated his will more explicitly in a declaration which authorised Sunday sports, but only for those who had first attended service in the parish church. Those who failed to attend, whether from conscientious scruples or from mere carelessness, were debarred from Sunday recreation. Some time afterwards James resolved to make this declaration a rule for the whole kingdom and ordered that it should be read from every pulpit. So many clergymen, however, proved unwilling to obey that he withdrew his order.

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CHAPTER IV.

THE OUTBREAK OF THE THIRTY YEARS' WAR.

WE have now reached the time at which the European peace so earnestly desired by James was shattered, and James himself was drawn unwillingly into the conflict. Embarrassments abroad forced him to call new parliaments and brought about fresh conflicts between the crown and the nation.

In Western Europe the battle of the reformation had been fought out with the result that Great Britain was protestant, France was catholic, and the Netherlands were divided between the creeds. But in Central Europe the decision had been postponed. The failure of Charles V. to assert his own power and the supremacy of the Catholic Church had been followed in 1555 by the treaty of Augsburg, which left every ruler in the empire free to adhere to which faith he pleased and to enforce it on his subjects. In the empire the protestants had once been the more numerous party, but they tended upon the whole to lose ground. The catholics were all united in one communion, but the protestants were divided between Lutherans and Calvinists, who were almost as bitter against each other as against the common foe. The house of Hapsburg, and therefore the emperors, still in a sense the sovereigns of Germany, remained catholic. The emperors could count on the goodwill of the kindred kings of Spain, who held the first place in Europe as a military power, and whose possessions within or adjoining the empire gave them the means of prompt interference. Above all, the catholics of the empire were part of one immense body, the Roman Church, thoroughly organised for attack and defence under a single chief, who could grasp the conflict as a whole, and who possessed in the Jesuits and other religious orders a disciplined force equally devoted and unscrupulous.

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CHAP. IV.

Since the peace of Augsburg, accordingly, what is known as the counter-reformation had steadily gained ground in Central Europe. It became clear that the Roman Church would soon be in a position to appeal to arms, and the protestants grew more and more uneasy, although their feuds hindered any useful measures of defence. The reigning emperor, Matthias, was also King of Bohemia and of Hungary, and in these countries the protestants were very numerous. Matthias had no child, and his heir would be his cousin, Ferdinand of Styria, an earnest catholic of that type which had been moulded by the struggle against the reformation. Hitherto he had been confined to a narrow territory, but he had already shown himself the implacable enemy of protestantism. How far the crown of Bohemia was elective, how far hereditary, was doubtful; but Matthias naturally espoused the doctrine that it was hereditary; and, feeling that his end was near, he presented Ferdinand to the Bohemian estates as their future king, at the same time adducing evidence that the crown was not elective, unless on failure of heirs. Although most of the members were protestants, the diet accepted Ferdinand and swore allegiance to him as the successor of Matthias. No sooner had they committed this folly than they had reason to repent. Whether the protestants were entitled by the charter of toleration granted in 1609 to build churches on the estates of bishops and religious houses was a disputed point. The clergy took heart to resist the protestant claim. Matthias, himself a catholic and upheld by the fiercer zeal of Ferdinand, supported the clergy. Then the protestants held an informal meeting of the estates at Prague, threw the regents who acted for Matthias out of a window of the castle, appointed thirty directors to govern the country, ordered a levy of troops, and banished the Jesuits. Thus, after putting themselves grossly in the wrong, they entered on a conflict with the whole power of the house of Austria and the Church of Rome.

The German protestant princes were restrained by mutual discord and by loyalty to the emperor, the representative of the German nation, from approving what the Bohemians had done. Yet, since they could not forsake their brethren, John George, Elector of Saxony, and Frederick, Elector Palatine, offered their mediation. Matthias, conscious of his own weakness, accepted the offer, only proposing that Maximilian, Duke

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of Bavaria, and the Elector of Mainz, should also be named mediators. But Frederick, young, rash, and hurried forward by the Calvinist dread and hate of Roman reaction, gave help underhand to the insurgents. CHAP. IV.

Philip III. watched with extreme interest all that was passing in the empire. As a Hapsburg, he was concerned for his kinsman Ferdinand; as King of Spain, he was hereditary champion of the Catholic Church, and he only waited for an opportunity of interfering. But a Spanish attack on German protestantism might lead to a war between Spain and England; and Spain, far gone in decline and almost bankrupt, was in no condition to wage at once a land war in Central Europe and a maritime war on the Atlantic. Before Philip could decide how to act, he must know what the King of England was going to do. So long as catholicism and protestantism were struggling for life, no protestant state could be indifferent to the fortunes of protestants elsewhere. James, as the first protestant sovereign, connected by marriage with one of the leading princes of protestant Germany, had to consider what results might flow from civil war in Bohemia and what he should do if the conflict became general. As yet England was not called to interfere, nor was she prepared to take a principal part in military operations at such a distance. But England might by reasonable efforts prevent Spain from interfering in Germany, and the dispute, thus narrowed, would be closed all the sooner. The end might probably have been attained by a firm tone on the part of the English government. James, however, longed for a Spanish marriage; he liked the part of peacemaker, and he expected his brother kings, no less than his subjects, to receive his award like the oracles of God. Aware of these foibles, Philip and his ministers let James know that they would be glad if he would mediate in Germany and that they were anxious to complete the marriage treaty. James eagerly accepted the part of mediator, and thus satisfied Philip that it would be safe to help Ferdinand whenever the time should serve.

Meantime the young Elector Palatine had aims of his own which he could not avow to all the protestant or even to all the Calvinist princes. While professing to mediate between the Bohemians and Matthias, he hoped to become King of Bohemia himself, and so possessor of a great territory extending across the

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CHAP. IV.

whole breadth of Germany, the chief of the German protestants, and the most powerful prince of the empire. He had sent Baron Dohna to sound his father-in-law, but James, although ready to renew his defensive alliance with the Evangelical Union, would not do anything to further Frederick's election as King of Bohemia. To enforce his views, James sent Lord Doncaster as ambassador to Frederick. On March 20, 1619, the Emperor Matthias died. Ferdinand then notified his accession to his Bohemian subjects and promised to confirm their privileges; but the directors made no reply, and the princes who had undertaken to mediate between them and Ferdinand laid down their thankless office.

Frederick persuaded the princes of the Union to put their forces on a war footing, although he would not avow the object. He had no trouble in gaining Doncaster's approval of a demand for help from King James. Meantime it went ill with the Bohemians. Count Thurn, the leader of the revolution, made an inroad into Austria and threatened Vienna with the help of the disaffected protestants. But reinforcements came to Ferdinand, and Thurn was forced to retreat. Count Mansfeld, a soldier of fortune employed by the directors, was also defeated by the Austrian general, Bucquoi. When Doncaster went on to offer his master's mediation to Ferdinand, he was gently eluded. Then came the election of a new emperor at Frankfort, and the consequences of protestant division were seen. So purblind and so full of mutual distrust and jealousy were the protestant electors that on August 18 Ferdinand was elected emperor without one dissentient voice. The protestant princes of Germany made the same mistake which the protestant estates of Bohemia had made two years earlier, and Frederick became Ferdinand's subject. Two days before Ferdinand became emperor the Bohemian estates had elected Frederick to be their king. If Frederick accepted the Bohemian crown, he would be depriving his sovereign of a kingdom to which most men thought that sovereign entitled. He looked round for advice. Only three princes of the Union would have him accept; his mother and his wisest councillors urged him to refuse, but his young wife longed to become a queen, and her entreaties together with his own ambition prevailed. He did, indeed, send Dohna to ask the advice of James; but before

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CHAP. IV.

James could pronounce, Frederick had accepted the Bohemian crown, thus defying the house of Austria to mortal combat and beginning the Thirty Years' War.

Ferdinand agreed with Maximilian of Bavaria that the Catholic League should espouse Ferdinand's cause and that Maximilian should be rewarded with Frederick's lands and electoral dignity. Philip at the same time gave orders that the Spanish troops in the Netherlands should hold themselves ready to march. In England many courtiers and politicians, the clergy and the nation generally were for the Bohemians, but their zeal for so remote a cause was shallow, and James, who hated war and feared that his son-in-law had committed the sin of rebellion, refused any help to Frederick or the princes of the Union beyond allowing them to recruit volunteers. In this way a small corps was formed and sent out under the brave Sir Horace Vere to aid in the defence of the Palatinate. The Dutch would willingly have gone to war for Frederick but declared that they could not act alone. Finding that there was so little hope of help from abroad, the princes of the Union on June 23, 1620, concluded a treaty at Ulm with the princes of the League by which both confederacies withdrew from the war. The Elector of Saxony fearing lest Frederick, master of Bohemia as well as the Palatinate, might prove a dangerous neighbour, became the ally of Maximilian and the emperor. Then Spinola led 24,000 Spanish troops from the Netherlands to attack the Palatinate, where nothing was ready for defence. A little later the Austrian and Bavarian forces invaded Bohemia, while the Elector of Saxony invaded Silesia. Frederick had wasted his time in the shows of royalty; the Bohemian troops and the Hungarians who had joined them were without discipline, the generals were mostly incompetent, the towns nearly all unfortified. On October 29 the battle of the White Mountain, close to the walls of Prague, ruined the cause of King Frederick and of the Bohemian nation. Only the united and vigorous intervention of all the protestant powers could now save to Frederick any part of his possessions or stay the re-conquest of Germany by Rome.

James was loth to believe that any dispute could be beyond his wisdom to compose. After sending hither and thither ambassadors who were everywhere treated with civil contempt, he had been roughly awakened by the Spanish invasion of the

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CHAP. IV.

Palatinate. For, although he would not help Frederick the rebel to keep Bohemia, he would not allow Frederick the son-in-law to lose his hereditary dominions, and he required Frederick's enemies to act upon this delicate distinction. He thought of helping the princes of the Union and gave orders for the levying of a benevolence. The Prince of Wales, the courtiers, and the city of London showed themselves willing, but only a few thousand pounds could be squeezed from all the rest of the kingdom. It was found necessary to summon a parliament, and a proclamation to that effect appeared on November 6. A few days later the result of the battle of Prague was known in London. Then fresh ambassadors were sent in many directions. Sir Edward Villiers had it in charge to promise Frederick help so soon as he should renounce the Bohemian crown. Sir Albertus Morton went to Worms with money to help the protestant princes. Sir Robert Anstruther was to ask the King of Denmark for a loan. A council of war was appointed to consider what should be done for the defence of the Palatinate.

As James rarely thought it worth while to study the feelings of his subjects, each new parliament brought him unpleasant surprises. The people of England wished well to the protestant cause on the continent, but they were still more desirous to redress grievances at home. The old leaders of opposition were returned again, and with them Coke, no longer chief justice; and one destined to obscure the fame of all the rest, John Pym, member for the little borough of Calne. When the parliament assembled on January 30, 1621, the king took the occasion to excuse former misunderstandings. At the time of his first parliament, he was unacquainted with the customs of the kingdom. The failure of his second parliament he ascribed to "a strange kind of beasts called undertakers". He had called this parliament of his own free motion. As he had received no grant for ten years past and had reformed his expenditure, he might well expect them to supply his wants. He would do his utmost to bring about a happy peace, but if he could not get it, he would spend all, his son's blood and his own blood, to save the Palatinate and the cause of religion.

The houses did not know that at this time the king still admitted Gondomar to his fullest confidence and talked with him about a reconciliation to the Church of Rome. But the house

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CHAP. IV.

of commons showed itself resolute to follow in the traces of its predecessors. It began with taking the communion in a body so as to purge itself of recusants. It urged the enforcement of the penal laws against catholics. It went into committee to consider the infringements of liberty of speech in the past, and the committee advised the introduction of a bill forbidding any such infringement in the future. The king sought to divert these discussions by raising the question of supply. After weighing all the circumstances, the council of war had come to the conclusion that an army of 30,000 men would be required for the recovery of the Palatinate and that the raising and equipping of such an army would cost £250,000, and its maintenance for a single year £900,000. There is no reason to doubt the correctness of this calculation, but there was not the least hope of obtaining from parliament a grant so enormous. Secretary Calvert, therefore, informed the house that 30,000 men would be necessary, but did not venture to ask for more than £500,000. As an earnest of their goodwill the commons voted two subsidies, or £160,000, although it was unusual to make a grant so early in the session. Then they returned to the consideration of grievances, especially the growth of monopolies and the abuses committed by the monopolists.

Although the principle that commercial freedom, at least within the bounds of the kingdom, is required by public policy had not yet been admitted, the spirit of the common law had always been averse to any restraint of trade. Nevertheless monopolies had been established before the accession of the house of Stuart, especially by Elizabeth. The abuses and hardships which inevitably followed had aroused so much ill-humour that Elizabeth's last parliament protested strongly, and Elizabeth thought well to soothe the commons by declaring that all the patents should be examined and such as were found to be injurious should be recalled. Under James the practice of granting monopolies continued. Some of these monopolies were given to reward inventors or introducers of new industries or new processes, and were analogous to the patents of our own time. In other cases the advantages of hindering fraud and ensuring a better quality of goods were alleged as reasons for the grant. But, whatever the motive of the grant, it was commonly made on the request of persons having influence at court, who meant

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CHAP. IV.

to sell the working of the monopoly to men of business. The results of the system under James were such as it had produced under Elizabeth, and the general discontent was as bitter as it had been twenty years before.

One monopoly was rendered especially odious by the tyrannical measures taken in its defence. A patent for making gold and silver thread had been granted to certain persons who alleged that they were virtually introducing a new industry. Infringements of the patent having drawn the attention of the council, it was repeatedly discussed and at length a fresh patent was made out to the old patentees along with some new persons. They were to import bullion to the amount of £5,000 a year, and make good to the treasury what it might lose in the duty on imported thread. Buckingham's half-brother Sir Edward Villiers embarked some capital in the undertaking. The goldsmiths challenged the validity of the new patent as of the old, and went on making the patented commodities. Apparently because the court of exchequer could not be trusted to convict them, the king by proclamation recalled the patent and took the business into his own hands, while granting pensions secured on the profits to Sir Edward Villiers and to another brother of Buckingham who had no claim whatever. Bacon justified the resumption of the patent by quoting an obsolete act of Henry VII., which forbade the use of gold or silver for such a purpose. He went further, and advised the appointment of a commission to discover and punish those who infringed the monopoly, so that they were thus denied the benefit of a hearing in the ordinary courts. Although the commissioners acted with vigour, their powers were deemed insufficient and a new commission giving larger powers was issued in October, 1618. Among the commissioners Sir Giles Mompesson, a kinsman of Buckingham, and Sir Francis Michell distinguished themselves by their tyrannous zeal. As even their efforts did not answer, the chancellor and the chief justice, Montagu, advised that the goldsmiths and the silk mercers should be forced to enter into bonds not to sell their materials to unlicensed persons. Some silk mercers who refused to do so were sent to prison by Bacon, but such was the indignation in the city that the king ordered their release. The government persevered, however, in upholding the monopoly and the public were still angry when the new parliament

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assembled. Bacon's action in this matter has been excused on the ground that he, like his contemporaries, attached a peculiar importance to everything which might affect the trade in bullion.[1] But it is hard to believe that so wise a man would have gone so far in a course equally unlawful, unjust, and unpopular, if the house of Villiers had not been concerned in preserving the monopoly of gold and silver thread. CHAP. IV.

The commons resolved to investigate the monopolies in a committee of the whole house. Beside the patents creating monopolies rightly so called there were other patents equally oppressive and unpopular. Thus a patent had been issued to Sir Giles Mompesson and two others, empowering them to grant licences to inn-keepers. It was taken first; Mompesson and others were examined, and it was shown that the patentees had been guilty of infamous tyranny. They had licensed houses of bad repute, while they had extorted money from honest inn-keepers, and had tried to ruin by prosecution all who withstood their exactions. A patent for licensing alehouses was considered next and found to have been used as a means of levying blackmail. It appeared that Sir Francis Michell had used his authority as a magistrate to further this extortion. An outburst of natural anger led the house into usurping the duty of a court of justice. On Coke's motion Michell was sent to the Tower and declared unfit to hold any magistracy. But the commons were obliged in a few days to own that they had no jurisdiction over such offenders and to proceed against Michell by way of impeachment. The same course was taken with Mompesson, who forestalled condemnation by flight to the continent.

Hitherto no great personage had been called in question. But Noy and Coke dwelt on the fact that patents creating a monopoly had never been issued without previous reference for consideration to persons high in the service of the crown, who were therefore answerable for the ill-effects which those patents might have occasioned. The inquiry into the patent for making gold and silver thread revealed such crying offences that the commons resolved to demand an inquiry into the conduct of the referees. Men in the highest place would thus be called to account before a parliamentary tribunal. The king, enraged

[1] Gardiner, ch. xxxiii.

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CHAP. IV.

at the boldness of the commons, interposed, and would have had them lay aside all other business until they had voted the subsidies; but, finding that the peers would not help him, he drew back and left things to take their course. Buckingham, by whose means so many patents had been issued, felt alarmed for his own safety, and sought the advice of his friend John Williams, Dean of Westminster. With some grave faults Williams had more sagacity than any other clergyman of that age. He warned Buckingham of the folly of trying to resist the commons where they were so clearly performing a public duty. The only safe course was to intercept the honour of a reform which could not be prevented, to induce the king to revoke the monopolies, and to leave those who had abused his confidence to their punishment. Buckingham was convinced. He readily persuaded the king to do what he wanted and took the first occasion of professing his zeal for the redress of grievances. The result justified Williams, for the commons, although they went on with a bill against monopolies and with the impeachment of Mompesson, dropped their demand for an inquiry into the action of the referees.

Bacon had been so much alarmed at that demand that he had solicited the king to interfere again. Those that will strike at your chancellor, he wrote, it is much to be feared will strike at your crown. He did not suspect a more serious danger. The committee of the commons appointed to inquire into abuses in the courts of justice had discovered certain malpractices on the part of the registrars in chancery. Then witnesses came forward with charges of corruption against the chancellor. When the chairman, Sir Robert Phelips, brought up the report of the committee, he was ordered to lay these charges before the house of lords. Bacon had already appealed to Buckingham as the victim of undeserved persecution. James would doubtless have interfered to stop the political impeachment of a minister, but he felt the shame and the danger of trying to stifle an honest inquiry into judicial corruption. Although still Bacon's friend, he would not engage in conflict with the house of commons to screen him. He suggested, indeed, that the charges should be tried before a court of six peers and twelve members of the commons named by himself. The commons might have been tempted by the prospect of gaining so much judicial power, but

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the wiser members saw that by making a precedent of this kind they would render the king arbiter of all such prosecutions in future and would estrange the lords, whose aid the commons could not afford to slight in their controversies with the crown. At the advice of Coke and Sackville the house resolved to return no answer to the king until they had consulted with the lords, and when this was made known to the king, he said no more. After a conference between the houses the evidence was placed in the hands of the peers, to use as they saw fit. They resolved to call witnesses themselves, and charges accumulated against the chancellor.

The conference took place on March 19. Although Bacon made light of the accusations brought against him, distress had preyed on his mind so much that he was too ill to leave his house. A week later the king addressed the houses with more than his usual tact, promising to recall the patents which had been condemned, and while forbearing from all interference exhorting them to keep a judicial temper. The houses were then adjourned, but committees of the lords sat to take evidence, and when parliament re-assembled on April 17 the results were embodied in one report. It was enough to ensure condemnation. In some of the cases alleged against him Bacon had done no more than accept a present from one of the parties to a suit after he had given judgment; a practice which, however harmful, was then recognised, and therefore not to be taxed as corruption. But there were other cases in which he had taken presents of great value while the suit was pending. Bacon himself, when he had seen a copy of the depositions, despaired of his cause. He besought the king to persuade the lords to be content with his submission in general terms and his resignation of the great seal. Next day he made such a submission, entreating the lords to spare any further sentence.

The lords, declining a submission so general, sent him a copy of the evidence and the articles of accusation, in order to give him the means of confessing point by point. Six days later Bacon made a full confession of guilt. Then a deputation of the lords came to learn whether his signature was genuine. "My lords," said the unhappy man, "it is my act, my hand, my heart. I beseech your lordships be merciful unto a broken reed." Having obtained the king's authority, the lords sent

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CHAP. IV.

another deputation to demand the surrender of the great seal. Bacon was still too sick to attend at the bar, but on May 3 it was resolved with one voice that he had been guilty of corruption. He was sentenced to pay a fine of £40,000, to be imprisoned during pleasure, to be incapable of any place or employment, and to be disabled from sitting in parliament and from coming within twelve miles of the court. Buckingham alone voted against the sentence. Thus ended the public life of the most illustrious among the many eminent men who have borne the great seal of England.

Much affectionate ingenuity has been spent in proving on Bacon's behalf what none would have attempted to prove for a less distinguished offender.[1] It has been said that Bacon took gifts in mere carelessness, or after convincing himself that he might honestly do so; poor excuses for a weak man, and worse for a man so acute and industrious as Bacon. It has been said that Bacon cannot be shown in any one case to have been determined in his judgment by the bribe; and the same may be said of every corrupt judge. It has been urged that neither house was well fitted to conduct judicial inquiries, which is true; but neither house betrayed any malice against Bacon. Far from trying to shake the evidence collected by them, Bacon resigned the thought of defence as soon as he knew what could be proved for the prosecution. He behaved with all the dignity possible in such a downfall, but the inference that he felt himself pure might seem too much even for the simplicity of a biographer. The commons did no more than their duty in exposing the grievances of the subject and the lords did no more than their duty in punishing the guilt of the chancellor. The king, who allowed the law to take its course, and then remitted all the penalty save exclusion from office and from parliament, was a better friend to Bacon than some of his modern apologists.

The condemnation of Bacon is memorable on other grounds than as it affects Bacon's character. That a great officer of the crown should be called to account by parliament was an event which had not occurred since the reign of Henry VI. It is

[1] Spedding, *Letters and Life of Bacon*, vii., ch. 6, minimises the fault and arraigns the tribunal. Gardiner, ch. xxxiv., is more reasonable, but still indulgent.

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CHAP. IV.

true that the proceeding against Bacon was not technically an impeachment, for the commons did not act as prosecutors; they merely sent up to the lords the evidence which they had collected. It is also true that the chancellor was tried, not for differing from the houses in policy, but for a breach of the criminal law. It was criminal, not political, responsibility which the houses sought to enforce, and for this reason James had not interfered. Nevertheless Bacon's trial marks the first stage of a revolution which ended by making ministers generally accountable to parliament; for if men think a minister's policy wicked and pernicious, they are apt to make him out a criminal; and they are certain to do so, if they know not how to get rid of him in any other manner.

The other proceedings of the session were of far lower interest. That Mompesson, though absent, and Michell should be prosecuted to conviction; that the patent for licensing inns, the patent for licensing ale-houses and sundry monopolies should be voted to be grievances, were matters of course. But one incident must be recorded as showing how readily the houses under the impulse of passion could play the tyrant as well as ever did the Star Chamber. A certain Floyd, a barrister, an old man and a catholic, was accused of exulting over the battle of the White Mountain and speaking scornfully of Frederick and Elizabeth. Without a shadow of right the commons had him brought to the bar and, although he denied the charge, heard witnesses against him. Then member after member, even among the better sort, vied in proposing cruel and outrageous punishments. At length the house sentenced Floyd to be pilloried thrice and to pay a fine of £1,000. When the king, through the chancellor of the exchequer, asked them for proof of their jurisdiction in such a case, they had nought to answer and could only ask that he would confirm their sentence. The king then declared that he would leave Floyd to the judgment of the house of lords. The lords, not to be outdone in loyalty, raised the fine to £5,000 and added the pains of whipping and perpetual imprisonment. The king at once remitted the whipping and, after the end of the session, remitted the fine and gave Floyd his liberty. Never did he appear to more advantage in comparison with the houses than in his mercy to Floyd.[1]

[1] *Commons' Journals*, i., 596-624; *Lords' Journals*, iii., 110-34.

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CHAP. IV.

James was fast becoming weary of the parliament. When it re-assembled in April, he had made known that the subsidies already voted were spent, and he had asked for a further supply to make those warlike preparations which were necessary even for treating with the hope of success. The house of commons, however, took no notice. At the end of May it was still immersed in grievances and seemed most unlikely to give more. The king bade the commons wind up their business within a week, in order to an adjournment. Before dispersing they resolved on a declaration that, if the treaty failed, they would be ready on re-assembling to adventure their lives and estates for the maintenance of the cause of God and of his majesty's royal issue. The declaration was adopted with one voice, the members rising, waving their hats and shouting, so that the like had scarcely ever been known in that grave assembly. Nor need we doubt that the emotion, if transient, was sincere. But neither the English people nor the English parliament seriously thought of waging a costly war in Central Europe to recover the Palatinate. What they desired was a war with Spain, a useful diversion for the protestant cause in Germany, but also a likely means of gain and glory for England.

Little as King James liked the vulgar to meddle with mysteries of state, he welcomed the declaration of the commons and had it translated into foreign languages as a proof that his subjects were eager to uphold his policy. But he was still displeased on various grounds with particular members of either house. The Earl of Southampton and the Earl of Oxford and Sir Edwin Sandys were imprisoned; and with them one not yet a member, John Selden, who had given a legal opinion in favour of the house of commons. This severity was only for a moment. Dean Williams had gained so much credit by the success of his counsel to Buckingham that he was made Bishop of Lincoln and lord keeper. His voice was still given for lenient and popular courses. All the persons lately imprisoned were set free and even the unhappy Earl of Northumberland regained his liberty. A number of monopolies were recalled and some smaller abuses remedied by proclamation. Cranfield, who had shown remarkable tact in gaining the confidence of the majority of the house of commons without losing the confidence of the king, was amply rewarded for his services. At

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the close of the session he was created Baron Cranfield; in September he succeeded Lord Mandeville as treasurer, and a year later he became Earl of Middlesex. Scarcely any layman of humble origin had ever risen to so great a place in England before. CHAP. IV.

Meantime no progress had been made towards ending civil strife in Germany. After the battle of the White Mountain, Frederick still held some fortresses in Bohemia together with Silesia and Moravia. But these provinces could not be maintained against the Saxons on the one side and the Austrians on the other. Frederick had to flee from Breslau as he had fled from Prague. On January 12, 1621, the emperor proclaimed his ban against Frederick and his followers, who were to suffer forfeiture of their lands and honours, execution being entrusted to Maximilian of Bavaria. Frederick took refuge at the Hague, hoping to interest the Dutch in his cause, so nearly bound up with their own. At the beginning of April the protestant princes dissolved their Union and recalled their troops from the Palatinate. In May, James sent Digby to Vienna to demand that the emperor should pardon Frederick upon his renouncing Bohemia and making submission for past offences, and to threaten war in case of refusal. Digby reached Vienna early in July and received a dilatory answer. Frederick refused to make any submission. But when Maximilian invaded the Upper Palatinate, Mansfeld was unable to stand his ground and retreated into the Lower Palatinate.

Such a state of affairs might have perplexed the wisest mediator. James was throughout misled and benumbed by the fixed persuasion that, if he could effect a marriage treaty with Spain, Spain would use all its influence, nay, take up arms, to bring about the restoration of the Elector Palatine and a settlement of Germany agreeable to the protestants. Profiting by this illusion, the Spanish government had from the outbreak of the Bohemian troubles shown renewed interest in the marriage scheme. James had made Digby a baron that he might be more equal to this high negotiation, and had suspended the laws against the recusants at the very time when the protestant zeal of his subjects was rising to fever. Philip had held him in play by applying for a dispensation which the pope would not grant save on the hardest conditions, so that month after month

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CHAP. IV.

was sure to pass in letters and messages between Rome and Madrid. Early in 1620 Gondomar returning to England quietly resumed control over the king, who fancied himself the arbiter of Europe. Then the weary haggling over religion was renewed. James was ready to allow the infanta the free enjoyment of her own faith and to grant the catholics a virtual toleration. Gondomar wanted more, but would not kill the treaty by claiming full freedom for the catholics. In March, 1621, Philip III. died, and his successor, Philip IV., idle and ignorant, left all business to favourites, among whom the Count of Olivares soon gained and long kept an ascendancy which made him the real ruler of Spain.

At length, in October, 1621, Digby, returning from his fruitless mission, roused the king to send a little money for the soldiers in the Palatinate and to summon parliament. Even then James assured Gondomar that nothing should be done to displease the King of Spain. When parliament met on November 20, the lord keeper on the king's behalf advised the commons to make a grant for the relief of the Palatinate, postponing all other business to the spring. Soon the old divergence between James and the commons reappeared. The delicate subject of freedom of speech was discussed again. When the house went on to consider foreign affairs, the sense of the majority was all against the policy of the king. They hoped to ensure by a war with Spain the very benefits which he hoped from a Spanish alliance. Perrot, Digges, Phelips, and Coke all gave expression to the general hate and fear of the Spanish king. On the other side, Rudyerd, Sackville, Calvert, and Wentworth urged the instant needs of the Palatinate. At last the commons agreed to give a small supply for the maintenance of the troops in the Palatinate, leaving further grants to wait for fuller information. At the same time they resolved on a petition that the laws against the papists might be duly executed. The petition as finally settled was apt to offend the king in every way. It declared that the favour shown to the Spanish ambassador and the expectation of a Spanish marriage had raised the spirits of the papists; it called for severity against them and a war against Spain, and asked for the marriage of the prince to one of his own religion.[1]

[1] Rushworth, *Historical Collections*, i., 40.

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CHAP. IV.

James, having heard of the contents of the petition from Gondomar, did not wait to have it presented, but wrote a sharp letter to the speaker, forbidding the house to meddle with mysteries of state and warning them that he thought himself very free and able to punish any man's misdemeanours in parliament.[1] Then the house refused to enter on any business until their privileges had been cleared. In a second petition, while yielding on other points, they maintained as they had done at the beginning of the reign that their freedom of speech was their undoubted right and inheritance derived from their ancestors, and besought the king to take away the doubts and scruples raised by his late letter.[2] A deputation sent with this petition to the king at Newmarket was not unkindly received. James gave its members a letter for the house in his own strange style, again accusing the commons of encroachment on his prerogative and insisting that their privileges were derived from the grace of his ancestors, although, so long as they contained themselves within the bounds of their duty, he would be careful to preserve their lawful liberties.[3] Again the commons felt that they could not let the claim thus made pass unchallenged. All agreed that the house should go into committee to take its privileges into consideration. James then wrote to Secretary Calvert, explaining his words, but without admitting the contention of the commons. In a subsequent letter he told them that, if they would have the session end at Christmas, they must go to work at once, and he would be content to have the subsidy in the next session. The house, while thanking the king for his letter, was firm to make a protestation of its privileges.

The protestation asserted once more that the liberties and privileges of parliament were the ancient and undoubted birthright and inheritance of the subjects of England, and that all affairs concerning king and realm and Church were proper subjects of counsel and debate in parliament. It was not laid before the king but simply entered on the journals of the house.[4] On December 19, the parliament was adjourned until February. After Christmas the king sent for the journals and in full council tore out the protestation with his own hand. Coke and

[1] Rushworth, i., 43. [2] *Ibid.*, 44.
[3] *Ibid.*, 46. [4] *Ibid.*, 53.

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CHAP. IV.

Phelips and a less distinguished member, Mallory, were sent to the Tower, and Pym was ordered to confine himself to his house in London. Finally the parliament was dissolved on January 6, 1622.

In former parliaments religion and taxation had been the chief matters in dispute between king and commons. In this parliament a new theme of contention was found in foreign policy. James was resolved to pursue a course in foreign affairs which his people could ill understand and, so far as they understood, abhorred. James dreamt that he could compose Europe with the help of Spanish good offices; his subjects wanted to aggrandise their country and religion by a war with Spain. James wanted to effect a Spanish marriage in order that Philip might help in restoring an enemy of the Church of Rome and a rebel against Philip's kinsman the emperor to those lands and honours of which in Philip's estimation he had been most righteously deprived. His subjects felt that a wife commonly has some influence with her husband, that a mother almost always has great power over her children, and that a Roman catholic marriage for Prince Charles implied perhaps a catholic policy in the next reign, and probably a catholic sovereign in the reign following. James earnestly desired to calm the strife of religions, but by awakening the reasonable fears of his subjects he sharpened their cruel intolerance. Had he married his heir to a protestant princess, Englishmen would have felt secure against a catholic reaction; the house of Stuart might have been confirmed on the throne, the puritans might have become less narrow and bitter, and the struggle for fuller political and religious liberty, although it could not have been avoided, might have been softened.

The folly of rulers is sometimes more productive than their wisdom, and the intolerance of the English government has helped to diffuse the English race and speech over the largest part of North America. Those puritans who shook off all communion with the Church and became known as Brownists or separatists found their condition so painful and dangerous in England that even before the death of Elizabeth many had emigrated to Holland. To fly from persecution was itself a crime, since none might quit the kingdom without the royal leave which would not be accorded in that case. Nevertheless

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CHAP. IV.

a little congregation which had gathered round a deprived minister named Richard Clifton in the village of Scrooby in Nottinghamshire, and had come to adopt separatist opinions, made up their minds to flee and join the brethren in Amsterdam. After a first failure to escape by way of Boston, they straggled over one by one in the course of 1608. But finding that the community at Amsterdam, though small and obscure, was rent by theological disputes, they departed thence and dwelt at Leyden for the next eight years, maintaining themselves by the labour of their hands and worshipping in peace after their own fashion, for the republic was of all great powers the most tolerant. John Robinson, a deprived clergyman of Norwich, succeeded Clifton as their spiritual guide and gave them a coherent doctrine. Still they desired to find a home where they might preserve their peculiar faith and manners in original purity and be joined by others who shared their tenets. And thus in the year 1618 they formed the resolution of emigrating to the new world.

They first obtained an indirect assurance from the crown that they should not be molested for their religion in those remote lands. Then, as they proposed to settle near the mouth of the Hudson, within the northern limit of the region assigned to the Virginia Company, they obtained the company's patent. They had next to find money, which they could only do by an agreement with a certain Thomas Weston that he should form a partnership to advance the funds and to share the profits of their undertaking. In July, 1620, the little band left Leyden for Southampton, where the *Mayflower* of 180 tons and the *Speedwell* of 60 were waiting to bear them to America. Men, women, and children they numbered in all about 120 persons. Early in August they cleared Southampton Water. The *Speedwell* was declared to be leaky, and at length they were forced to leave her behind at Plymouth with those who lost heart when they came to try the terrible voyage. On September 6 the *Mayflower* left Plymouth, and on November 9 the emigrants sighted Cape Cod; but two months were spent in reconnoitring, often under extreme hardship, and at length they planted their settlement, not where they had at first designed, but a long way farther east and outside the domain of the Virginia Company. It was not until December 11 that they landed on the shores of Plymouth Bay, a name given by

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CHAP. IV.

an earlier explorer. They had already drawn up an instrument of government and chosen one of their number, John Carver, to be governor. Their sufferings were only begun, for they had come ashore in the depth of that New England winter which taxes modern art and luxury to make it endurable. Half of their number died of hardship and disease before summer came, although the strong ministered to the weak with a constancy and a charity which more orthodox Christians have not always shown in such severe trials. Had not the Indians been lately almost swept away by pestilence, the settlement would scarcely have survived many months.

When summer came the severest trial of the colony was over. The new governor, William Bradford, proved eminently fit for his difficult office. Soon the colonists had ensured their own subsistence, and by 1625 they had a surplus of corn for sale to the natives. In 1627 they closed their connection with Weston's partnership, which transferred its interest to six of the chief men of Plymouth. Other settlers came out and new establishments were formed in Massachusetts Bay. In 1629 Massachusetts received its first charter from the crown. It remained a puritan colony throughout, but its puritanism was fiercer and more intolerant than that of the pilgrim fathers who founded Plymouth.

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CHAPTER V.

THE CLOSE OF THE REIGN OF JAMES I.

NOW that James had quarrelled with the commons, he could not look for parliamentary supply, and without that supply he could not wage war. No sovereign can gain much even by the most skilful diplomacy when his rivals and enemies are convinced that he cannot fight. James was forced to rest all his hopes for the recovery of the Palatinate on the good offices of Philip, while Philip was freed from the haunting fear which alone could make him desirous of gratifying James. As Philip was secure, the emperor might exact the full penalty from Frederick without regard to the wishes of the King of England.

In Germany the need for action became more pressing every moment. James gave out that he would send 8,000 foot and 1,600 horse to Frederick's help, and, in order to raise funds, he added to the impositions and demanded a benevolence. But these means were wholly inadequate and the force never came into being. Count Tilly and the Bavarian troops in concert with the Spanish forces drove Frederick and Mansfeld out of the Lower Palatinate. Heidelberg was taken by Tilly on September 6, Manheim fell in the following month, and by the end of November Frederick's banner waved over Frankenthal alone. James was steadily driven back upon that last expedient, a marriage treaty with Spain. He sent back to Madrid Digby whom he created Earl of Bristol. Philip and his advisers abhorred the treaty in their hearts and were resolved in any case not to make war against the emperor, but they meant to hold the bait of a marriage before the English king as long as possible, and at length to lay the whole blame of disappointment upon the pope's resistance. To aid in the conduct of this thorny business, Gondomar had been recalled from England in May. At Madrid

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CHAP. V.

he worked with his usual skill to further the negotiation, for he really thought the marriage desirable, if concluded on terms of sufficient advantage to Spain. The court of Rome after mature deliberation required for its assent to the marriage conditions so severe as to threaten an end of the treaty. The infanta's chapel was to be open to all who wished to enter; all her servants were to be catholic; the priests of her household were to be free from subjection to the law of the land, her children were to be educated by their mother, the boys until fourteen, the girls until twelve years of age. A general liberty of worship for catholics was also demanded, and the hope was expressed that the King of England himself might return to the true faith. Even James was provoked by these demands into declaring that, if his former offers were not accepted within two months, the negotiation must end. But he could not forego a hope so long cherished, and he saw no other means of helping Frederick. He was urged in the same direction by the joint influence of his favourite and of his only son.

Charles, Prince of Wales, had reached his twenty-second year. After a brief period of ill-will he had fallen under Buckingham's fascination, and was thus led to interest himself in the project of a Spanish marriage. He had even offered to visit Madrid incognito, if Gondomar on his return home should approve of the adventure. In order to learn how such a visit would be taken, the friends sent Endymion Porter, a client of Buckingham and gentleman of the prince's bedchamber, on a secret mission to Madrid. The Infanta Maria, the destined victim of all these diplomatists, a good simple girl of narrow understanding and irreproachable piety, loathing a heretic for a husband, told Olivares that she would rather go to a nunnery, and besought Philip to save her with so much fervour that his heart relented and he bade Olivares find some way out of the marriage treaty. The king and his minister were, notwithstanding, resolved to play the comedy as long as possible, in the hope that Rome would break off the intrigue when necessary. They no longer insisted that the infanta's chapel should be open to the public. They would be content that she should have the education of her children to the age of nine. They would accept an informal letter from the king and prince, promising to refrain from any persecution of the catholics, to allow them,

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in fact, the free exercise of their religion in their own houses. They promised their best endeavours with the pope to accept this compromise and to sanction the marriage without delay. But they declined summoning the emperor to surrender the towns of the Palatinate within a fixed time. CHAP. V.

Endymion Porter, bearing the amended articles of the marriage treaty, reached England in the beginning of January, 1623. James and Charles signed them without demur as well as the letter required by Philip, but this was not to be delivered until the dispensation had come from Rome. The king might flatter himself that his policy was on the verge of success. He consented that Charles should visit Madrid, intending probably that, when the negotiation had been completed, the prince should embark on the fleet which would sail under Buckingham's command to fetch home the infanta. The friends proposed to do something more romantic. They would travel post to Madrid, break in upon the solemn Spanish court and convince the infanta of her lover's devotion by the toil and peril which he had endured for her sake. In February they told the king what they wished to do and he again assented. On the next day his mind misgave him. At that time the person of a prince was of more account in politics than now, and the sanctity of international law was less considered. Should the King of Spain find the heir of England in his power, he might be tempted to hold him as a pledge for further concessions in the marriage treaty, if for no other object. The journey across France was not without danger. An affectionate, nay, a doting parent, James resolved, not indeed to forbid the adventure, but to beg his son and servant that they would lay it aside.

Charles and Buckingham had named for the companions of their journey Francis Cottington, the prince's secretary, and Endymion Porter. When, therefore, they came to the king to settle the details, he sent for Cottington, and asked what he thought of the journey. Cottington in much agitation replied that he could not think well of it. James fell back on his bed weeping and crying out that he should lose "Baby Charles". While Charles out of respect stood silent, Buckingham rated Cottington like a slave, told the king that, if he now recalled his permission, he would be covered with shame, and forced him

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CHAP. V.

to an absolute surrender of his fears and scruples.[1] Cottington and Porter were sent before to hire a vessel, and on February 17 the prince and Buckingham set out in disguise with a few attendants. On the 19th they landed at Boulogne and on the 21st they reached Paris, where Charles at a masque beheld his future bride, the Princess Henrietta Maria. Then riding post across France, the young men reached the frontier on March 2. Five days later they dismounted at Bristol's house in Madrid. Gondomar was soon informed of their arrival and carried the news to Olivares.

Strange in itself, the adventure was doubly surprising to Spanish statesmen, who had always seen their own princes submit every impulse to a rigid, almost Oriental etiquette. Olivares could not believe that Charles had acted thus without any serious meaning, and, as he could not imagine a man earnest in any faith save that of Rome, he inferred that the prince must have come to Madrid resolved to change his religion. If this were so, Olivares could reconcile every contradiction. The marriage would become desirable in the eyes of his king and countrymen, the scruples of the infanta would be hushed, England would probably return to the catholic faith, and all anxiety about German politics would be assuaged. Philip shared his minister's satisfaction and the prince was welcomed with every refinement of Spanish courtesy.

On March 8, Buckingham had an interview with Olivares, and on the next day Philip met Charles for the first time. Then followed a strange intricacy of mutual misunderstanding and falsehood. Although Buckingham declared that the prince had no intention of forsaking his religion, Olivares professed the utmost zeal to hasten the marriage. Charles and Buckingham wrote home that the pope was the only hindrance, and sounded the king about acknowledging him as head of Christendom. Even Bristol was moved by current rumour to ask the prince whether he really meant to become a catholic. Finding that Charles was resolved not to change his religion, Bristol advised him to speak out, since the Spanish court would delay the dispensation as long as he seemed to waver. So it proved. Oli-

[1] Clarendon, *History*, i., 20-30; but see the criticism by Gardiner, ch. xliii.

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vares, throwing all the blame of delay upon Rome, hinted that the prince's promise of full freedom to the English catholics would end the matter. Buckingham had no power to go beyond his master's promise to connive at the catholic worship in private. Then Olivares turned to the Nuncio De Massimi, who pronounced this concession unsure and inadequate. Olivares, no longer desiring to effect the marriage, sent the Duke of Pastrana, ambassador to Rome, nominally to hasten the dispensation, really to ensure the pope's refusal. It was too late. Before Pastrana could reach Rome, Olivares learnt that the cardinals had resolved to grant the dispensation. It came, but clogged with hard conditions. It was not to be delivered until the prince had given security for his promises, and Philip had sworn that he would exact performance from England even by arms if necessary. At the same time the marriage articles had been altered in several respects to harmonise with the former demands of Rome. CHAP. V.

Charles made little way with his wooing. A solemn visit to the infanta did not prepossess her in his favour. An attempt to approach her more familiarly in the palace garden merely put her to flight. In other ways he found himself ill at ease. King James had sent out a number of gentlemen and servants to make a fitting retinue for his son. Upon a hint from the Spanish ministers, Charles thought well to bid most of them return from Santander, where they had disembarked. He was not allowed to hear the English Church service in the palace. Buckingham's arrogant ill-manners gave general offence to the Spaniards and provoked a personal feud with Olivares.[1] Yet Charles was prepared to make any concession, bind himself by any undertaking, sooner than acknowledge that his boyish enterprise had been a folly. Step by step he gave way to the theologians who guarded Philip's conscience. Finally they declared that the infanta must remain in Spain for a year after her marriage. In the interval the freedom granted to the catholics must be publicly proclaimed in England; the king, the prince, and the privy councillors must swear that it would never be revoked, and they must at least make some progress in getting the approval of parliament. Charles again

[1] Gardiner, ch. xliv., has shown that Buckingham's ill-manners were only a minor cause of the final rupture.

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CHAP. V.

yielded and sent Cottington to England to ask for the king's consent to the latest articles.

Careless of his own dignity and only longing to see his son once more, James agreed to these hard terms, but urged Charles to return without delay. Philip and Charles signed the marriage contract on the understanding that the infanta should not go to England until the spring, although the ceremony was to be performed as soon as James had sworn to the articles and the pope had given his approval. The tedious treaty seemed at length complete and the prince might deem himself the betrothed of the infanta. Soon afterwards it was known that James and the privy council had sworn to the marriage articles. Charles and Buckingham desired the king to command their return, in order that they might press for a speedy celebration of the marriage and that they might take the infanta with them, a favour which they still hoped to obtain. But on this point Philip was firm. Religious squabbles between the prince's attendants and the Spanish priests led Philip to require that Charles should dismiss every protestant in his train. Charles next learnt that the King of Spain would not quarrel with the emperor to please him nor promise to effect the restoration of the Elector Palatine. The delivery of the dispensation was delayed by the illness and death of Gregory XV., and at length Philip told Charles that he could best further the completion of the marriage by returning to England to advise his father.

On August 28 Charles solemnly swore to the marriage treaty and undertook to leave his proxy in Bristol's hands. He then bade farewell to the infanta and went with the king to spend one or two days at the Escurial. On September 2 he parted from Philip. Each testified the warmest affection for the other, but Philip rejoiced to feel that his long embarrassment was nearly over, and Charles felt all the sullen rage of a youth who has been duped for the first time. His passion for the infanta, at best no more than a lad's caprice, was all turned into a longing for freedom. The next day he wrote from Segovia to Bristol to withhold the proxy until security had been given that the infanta, even although betrothed, would not save herself from a detested union by going into a convent. On the 12th he reached Santander, and a few days later he sailed for England, landing at Portsmouth, October 5. The nation was delighted to welcome

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the prince home, doubly delighted because he had come without the infanta. With him came Buckingham, whom James had created a duke while he yet hoped that the visit to Madrid might prove successful.[1] CHAP V.

Charles poured forth to his father all his pent-up bitterness against the Spaniards, and James learnt the failure of the scheme on which he had lavished so much vain toil and for which he had stooped to so many humiliations. At no time, however, could James withstand the impetuous will of any person whom he loved, and now that he was visibly declining he became the passive instrument of his son and favourite to unravel the work of anxious years. The king wrote to Bristol that the marriage could not take place until satisfaction had been given regarding the Palatinate. The King of Spain naturally replied that he could do no more than urge restitution to Frederick's descendants. James next demanded that the infanta's whole dowry should be paid in ready money, a thing quite impossible, and ordered Bristol to leave Spain unless Philip complied within twenty days. Meantime the new pope, Urban VIII., had authorised the nuncio to deliver the dispensation, and the date for the ceremony, November 29, had been fixed. Only three days before that day Bristol received a peremptory order for postponement. Philip thereupon stopped all preparations for the marriage and ordered the infanta to cease her study of the English language. The imprudence of James and Charles had allowed him to withdraw honourably from an alliance which he had never desired.

In wishing to show forbearance towards catholics at home and to live in peace with catholics abroad, James was wiser than most of his subjects and may claim the regard of later ages. But he was guilty of a gross breach of trust in consenting to make the position of his catholic subjects a matter of bargain with a foreign power. He made a fatal mistake when he abandoned the high place which he inherited from Elizabeth as chief of the protestant world. At a time when religious hatreds were so powerful, conflicts between religions were inevitable

[1] Gardiner, ch. xliii.-xlv., has given the first full and trustworthy account of the prince's visit to Madrid. It is curious and interesting and throws a strong light on the character of Charles.

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CHAP. V.

and the mere dislike of war was not a policy. A good man would not have sought a quarrel with any catholic power, but a brave man would not have shrunk from taking his part in the defence of protestantism. Conceit of his office led James into thinking that nations have nought to do with high mysteries of state which should be left to monarchs alone. Conceit of his own wisdom suggested that his brother monarchs would bow to his award, however it might mortify their interest or their conscience. Caring at bottom far more about the inheritance of his grandchildren than about the religion or freedom of half Europe, he hoped to gain his ends by negotiation with the aspiring house of Austria, and the inflexible court of Rome. The world was to be stilled by the marriage of a boy and a girl, and emperor and pope were to confine themselves within the bounds traced by the King of England. But the march of the counter-reformation could not be stayed by exchanging civilities with its chiefs. All that James achieved by his elaborate diplomacy was to annul the weight of his own kingdom, to fulfil the ruin of his son-in-law, to prolong the war in Germany, and to bring the protestant cause to the very verge of destruction.

A new policy, it might seem the reverse of the old one, was to be tried for the recovery of the Palatinate, but under auspices which scarcely allowed a reasonable hope of success. Of the two thoughtless young men who were scheming a grand attack on the King of Spain and the emperor, Buckingham was impelled by pique solely, Charles by a mixture of pique with concern for his unfortunate sister, and both were equally hasty, equally ignorant of the state of Europe, equally incapable of grasping any complex question or framing any coherent system. They set eagerly to work. As a war with Spain would be popular, they persuaded the king to call a new parliament without delay. Bristol was ordered to return home that he might give an account of his conduct, that is, pay the penalty of having displeased Buckingham at Madrid. The Dutch were invited to appoint commissioners for negotiating an alliance with England. Ambassadors were to visit the kings of Denmark and Sweden, the princes of North Germany, the Duke of Savoy and the Republic of Venice, and enlist all these powers in the war against the house of Hapsburg. The Queen-Mother of France having

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CHAP. V.

hinted that she was ready to bestow her youngest daughter, Henrietta Maria, upon the Prince of Wales, it was resolved to send Henry Rich, Viscount Kensington, ambassador to Paris, in order to clear the way for a marriage treaty. So little had Charles profited by his late experience that, while preparing for a protestant war and inflaming the protestant passions of England, he was as forward as ever to wed a catholic bride.

The last parliament of James I. met on February 19, 1624. In temper the new house of commons strongly resembled those which had gone before. All the old leaders of the popular party had found seats, and they were joined by two younger colleagues of extraordinary gifts, John Selden, second only to Bacon in breadth and acuteness of mind, and second to none in deep and varied learning; and Sir John Eliot, a man of generous and heroic temper and unrivalled eloquence, although not always far-seeing or sure in judgment. Most of the members were staunch protestants, willing to enact new penalties against recusants and to make war on Spain, but little acquainted with foreign affairs and very loath to engage in continental wars. So completely had James been unnerved by the failure of his dearest hopes, that he condescended to ask the advice of the houses upon those questions of foreign policy which heretofore he had reserved to himself. Buckingham told the houses the story of the prince's late adventure, insisting that the Spaniards had never meant to keep their promise of help towards regaining the Palatinate, and urging that the treaty with Spain should be dropped as fruitless. So far his hearers were ready to believe and applaud.

The lords resolved to ask the king to break off all further negotiation. In the commons the need for assuring freedom of speech was pressed by Eliot, but the matter was shelved by reference to a committee. The house reverted to foreign affairs and petitioned the king to act in defence of protestantism. They were disposed to make a grant, but they wished it to be spent in repairing the fortresses, strengthening the garrison of Ireland, fitting out a fleet, and succouring the Dutch republic, measures all of them preliminary to a maritime war with Spain. Accordingly, when James received the deputations from the houses, it appeared how far were his thoughts from the thoughts of the commons. He wanted above all things to recover the Pala-

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CHAP. V.

tinate, and therefore to use his best efforts in Central Europe, while he still hoped to avoid a Spanish war. Then he was in debt and warlike preparations were costly. Money he must have, but the money for the war should be paid over to treasurers appointed by the parliament, which would thus be assured that the grant had been expended according to its intention. A few days afterwards he estimated his wants at six subsidies and twelve fifteenths, about £780,000 in all.

The commons returned to their house in a very bad temper. "The Palatinate," said Sir Francis Seymour, "was the place intended by his majesty. This we never thought of, nor is it fit for the consideration of the house in regard of the infinite charge." Eliot summed up the sense of the commons in a few significant words. "Are we poor? Spain is rich. There are our Indies. Break with them; we shall break our necessities together."[1] A breach between the commons and the crown was averted by the prince and Buckingham, who desired a war in the Palatinate, it is true, but desired a war with Spain even more. Buckingham coerced the king and Charles soothed the houses into seeming harmony. The commons voted three subsidies and three fifteenths, less than half of the original demand, while the king declared himself willing to break off all further treaty with Spain. But the commons had put on record that their grant was made for the purposes above-named, and the king, while approving of those purposes, shunned any mention of a Spanish war and avowed that his one aim was to recover the Palatinate.

The Spanish envoys tried as a last desperate resource to shake the credit of Buckingham with his master. They dwelt on the favourite's insolent and domineering ways, and assured James that Buckingham was resolved to make him a tool or even to dethrone him if he continued obstinate. These accusations only hastened the fall of the minister most desirous to preserve peace with Spain. The lord treasurer, Middlesex, had long been at variance with Buckingham, who thought that he had prompted the ambassadors. Buckingham resolved to ruin Middlesex, and easily drew Charles into encouraging an impeachment for corruption in his office. The house of

[1] *Commons' Journals*, i., 740.

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commons was willing enough, and James vainly warned his son and his favourite that they would live to have more than they wanted of impeachments. Middlesex had apparently done some inexcusable things. Coke and Sandys carried up the articles of impeachment, and on May 13 the treasurer was found guilty by the lords and sentenced to be for ever incapable of office under the crown, to be excluded from parliament and the court, to pay a fine of £50,000, and to be imprisoned during the king's pleasure. As usual, the heaviest part of the sentence was remitted, but Middlesex was banished from public life. The proceeding against him was the first impeachment in the strict sense of that term brought against a minister of the crown since the impeachment of the Duke of Suffolk in 1450. CHAP. V.

The alliance of the prince and Buckingham with the popular party rendered possible the act against monopolies which is the one memorable statute of the reign of James I. By this act the law was placed almost on its present footing. Monopolies generally were made void, and all questions as to what constituted a monopoly were to be judged in the courts of common law. Persons trying to stay or delay any action on a monopoly by means of any authority other than the court wherein it was pending were to suffer the penalty of a *præmunire*. Existing patents of twenty-one years or less were to be valid, if granted to the introducers of new manufactures. Similar patents for fourteen years or less might be granted in future. A saving was also inserted for privileges conferred by any former statute. Although some vexatious monopolies were established in the reign of Charles I., the influence of this statute[1] upon the later course of English commerce and industry has been incalculable. But the temper of James, always irritable, had now become senile. The sense of failure and of impotence, the perplexities of the situation abroad, the impeachment of Middlesex, the importunities of the commons for harsh measures against the recusants and for a war with Spain, had wrought him to a querulous exasperation, and he prorogued the parliament on November 2 with as little grace as on any former occasion.

In May, Kensington was joined at Paris by the Earl of Carlisle, and the treaty for the hand of the Princess Henrietta

[1] 21 and 22 Jac. I., ch. iii.

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CHAP. V.

Maria was pressed forward. The difficulty of religion immediately arose. James had promised the commons and Charles had sworn in the lords that no treaty of this kind should affect the condition of catholic recusants. Accordingly the English representatives had been instructed not to enter into any bargain regarding the treatment of catholics in England. The French commissioners propounded articles for a marriage treaty on the model of those formerly agreed on between England and Spain. The English ambassadors refused even to discuss them, and were supported for a moment by the resolution of their master. That resolution was soon undermined by the arts of the new ambassador, the Marquis of Effiat. James, complying with a suggestion made by the French minister La Vieuville, undertook to express in a private letter to Louis his benign intentions towards his catholic subjects, but Louis was so little satisfied with this informal engagement that he dismissed La Vieuville for having proposed it.

Richelieu succeeded to power. Although not a bigot, he had the keenest sense of what was due to the majesty of France, to his own character as a cardinal, and to his policy of humbling the house of Austria without seeming to forget the interests of the Church of Rome. He required that an article in favour of the English catholics should be inserted in the treaty. James and Charles refused to admit such an article. But after some wrangling the weak mind bent before the strong, and the King of England accepted the very formula dictated by Cardinal Richelieu, though still insisting that it must be embodied in a letter and form no part of the treaty. The privy council was induced to approve what he had done, and Kensington was rewarded with the title of Earl of Holland. As the king could not meet parliament without owning his weakness, he prorogued it afresh until February, 1625. Even then the French government was not content. It still rejected the form of a letter and demanded that the promise of toleration to catholics should be couched in a formal engagement, although this engagement might remain private and not appear in the marriage treaty. Again James struggled, hesitated, yielded. He entered into a private engagement with Louis that the English catholics should enjoy all the liberty which had been assured to them by the marriage articles with Spain, and this

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promise was subscribed by the Prince of Wales. The marriage treaty, signed by the ambassadors on November 10, was ratified by the king on December 12.[1] A few days later, orders were issued to suspend all proceedings against Roman catholics, to set those imprisoned at liberty and to repay all fines. It remained to be seen what help in men or money for the recovery of the Palatinate had been purchased by entering into an agreement which could neither be kept with safety nor broken with honour. CHAP. V.

The French king inherited a feud with the house of Austria and was desirous of weakening the Spanish king, whose dominions seemed to encompass and threaten his own, but he was not eager to befriend German heretics. Yet something must be done to amuse the King of England. Count Mansfeld, whose trade had been spoilt in Germany by the success of the imperial armies, was anxious to find a new employer and a new field of profit and honour. Louis expressed himself willing to share the expense of providing Mansfeld with an army which might undertake a German campaign. When the old soldier of fortune visited England in April, the simple public welcomed him as a protestant hero, and the king undertook to find 10,000 foot and 3,000 horse and to pay for their support £20,000 a month, if the King of France would do likewise. A council of war, consisting of the men most noted for skill and experience, was established to exercise a general direction over military affairs. In June the king concluded a treaty with the Dutch republic by which he was to maintain for two years a body of 6,000 troops for the defence of Dutch territory. As Holland was not threatened by any assailant save the Spaniards, such an alliance on modern principles implied war with Spain; but it was then deemed possible for a state to aid one belligerent, yet remain at peace with the other; and James strove to the last to avoid a direct breach with Philip.

He had really no funds wherewith to defray Mansfeld's expedition, since the modest supply granted by the commons had been expressly appropriated to other purposes for which it was barely sufficient, and had been paid over to treasurers of

[1] Gardiner, ch. xlix., has been the first to trace in detail the negotiation for the French marriage.

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CHAP. V.

their choice. These treasurers would advance nothing save on a written order from the council of war, and the council refused to make such an order except for one of the purposes mentioned in the statute. Nor had James yet reached a definite understanding with any of the German princes, nor had any coherent plan of campaign in Germany been settled. All these objections were over-ridden by the eagerness of the king, the prince, and the duke to strike a blow for the Palatinate. The council of war was induced to waive its scruples, and on its orders the parliamentary treasurers issued £15,000 for levying the troops promised to Mansfeld and £40,000 to pay them for the next two months. Where pay was to be found after that time had elapsed was more than uncertain; but it was hoped that a sudden success would kindle zeal at home and attract allies abroad.

The one warlike enterprise of the reign was not destined to shed any glory on its close. As England possessed no regular army, and none were likely to volunteer for such a service, the men whom Mansfeld required were found by impressment. Since all who had friends or money could evade impressment, its victims were usually the most unfortunate or the most worthless of the community; in the words of Shakespeare, "such as indeed were never soldiers, but discarded, unjust serving men, younger sons to younger brothers, revolted tapsters and ostlers trade-fallen; the cankers of a calm world and long peace". When the poor wretches began their wintry march from all parts of the realm towards Dover, their despairing faces moved the pity of the onlookers. When they mustered there towards Christmas, the money issued from the treasury had been spent and no more was forthcoming. No ships were ready and no food had been provided. To save their lives many deserted, and many wandered about Kent robbing and breaking into houses.

By this time it had become apparent that the English and French governments were not of one mind regarding the expedition. In England it was assumed that Mansfeld would be allowed to disembark his soldiers in a French port, would then take over the French contingent, and would march with his whole force by the direct road across France to the Rhineland. But while Mansfeld's commission from James expressly forbade him to molest Spanish territory, Louis, caring nothing

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CHAP. V.

for the Palatinate, had from the first resolved to make the expedition a means of embroiling England with Spain or else to withdraw from it altogether. In the previous July the Spaniards under Spinola had laid siege to Breda, the main bulwark of the Dutch frontier, and the Dutch were not strong enough to attempt its relief. Louis therefore proposed that Mansfeld should join forces with the Prince of Orange to raise the siege. James still refused to make direct war on Spain and assured Philip that he would not allow Mansfeld to attack the Netherlands. Thereupon Louis refused to let Mansfeld pass through French territory and proposed that he should take his troops to Holland, where the Prince of Orange, who still hoped to use them for the relief of Breda, was urging the States-General to receive them hospitably. At the end of January, 1625, the English government unwillingly gave way, and Mansfeld sailed with his ragged regiments to Flushing. James had no money or supplies to send, but he still refused to let the Dutch employ the men against Spinola. Disembarked on a foreign land in the depth of winter, without lodging, without food and almost without clothes, the starving soldiers fell sick and died by hundreds. By the end of March, out of 12,000 scarcely one-fourth were fit for service. Louis had reduced his contingent to a handful of cavalry, and these also were thinned by sickness and desertion. Far from re-conquering the Palatinate, what remained of Mansfeld's army could not cross the frontier, but lay helpless under cover of the Dutch fortresses. The alliance of England and France had proved barren of any good result.

It was, however, fruitful of embarrassment. The natural distrust and fear with which the Huguenots regarded their catholic sovereign and fellow-countrymen led some of them at this time into an unwise revolt, and the great maritime city of Rochelle became the centre of resistance. Louis, who did not possess a navy fit to cope with its cruisers, asked his allies, the Dutch and the English, to lend him ships. The Dutch government could grant the request without hesitation, for all Dutchmen regarded the good-will of France as vital to their safety. James also promised help, but no measure could be more contrary to English public opinion or more likely to increase the difficulty of managing parliament, which was again prorogued. Meanwhile the prince's marriage was retarded for

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CHAP. V.

lack of the papal dispensation. Although granted in November, it did not reach Paris until February. The pope had exacted conditions more onerous than those of the marriage treaty, including the requirement of a public written assurance of religious freedom to the English catholics. Even James would not consent to such an act of folly, and Richelieu was not disposed to drive him to extremity. Louis undertook that, if the pope did not withdraw his demands within thirty days, the marriage should be celebrated without a dispensation. Before the interval had elapsed James was no more.

At the beginning of the year James learnt the result of his embassies to the northern kingdoms. Gustavus Adolphus, King of Sweden, still young in years but mature as a soldier and a statesman, was ready to champion the protestant cause if furnished with means sufficient to afford reasonable hope of success. A great force would be necessary, and he expected England to bear one-third of the charge. Christian IV. of Denmark, brave and active, but far inferior to Gustavus in judgment, was ready to take the field with a much smaller army and only asked England to maintain 6,000 foot and 1,000 horse at a charge of perhaps £180,000 a year. What Gustavus asked was not too much for victory, and what Christian asked was more than England could afford. In such cases it is wise to spend largely or to spend nothing. James declined the proposals of the Swede and listened favourably to those of the Dane; but the making of an alliance was reserved for his successor. He suffered much from gout, and the cares and disappointments of the last two years had preyed upon his spirits. In March, 1625, when staying at Theobalds, which he had acquired from Lord Salisbury in exchange for Hatfield, he was seized with an ague which he could not shake off. Although he would not obey his physicians, he took remedies from Buckingham and Buckingham's mother which had no effect, and were afterwards made proofs of an intent to administer poison. He rallied once or twice, but on the 24th became so ill that the lord keeper, Bishop Williams, asked for the prince's leave to tell him that he was dying. On the same day the bishop administered the communion and on the 27th King James died. His queen, Anne of Denmark, had died six years before.

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CHAP. V.

He was one of those men whose failings are rather enhanced than cured by time. His reign was void of great events and far from glorious. But we should be ascribing too much consequence to political intrigues and ecclesiastical quarrels if we thought of those years as barren or miserable. The peace which James maintained with some loss of honour and the light taxation ensured by the want of harmony between crown and parliament were favourable to industry, commerce, and the accumulation of riches. Abroad the foundations of an immense colonial empire were laid almost without effort and without notice. The English gained their first foothold in the East Indies. The plenty and comfort which had marked the later years of Elizabeth were equally apparent under James, and the middle class continued to grow in numbers and self-confidence. Above all, the reign of James divides with the reign of Elizabeth the honours of the most splendid period of English literature. To that reign belong the later plays of Shakespeare and nearly all the plays of Beaumont and Fletcher, as well as the noblest monument of English prose, the authorised version of the Scriptures. The same reign witnessed the birth of a new intellectual movement in the publication of the *Novum Organum*. The king seems to have had little feeling of these marvels. He loved books and learned men, but his thoughts were turned to Church antiquities and theological debate.

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CHAPTER VI.

THE FIRST AND SECOND PARLIAMENTS OF CHARLES I.

CHAP. VI. CHARLES was in his twenty-fifth year when he became King of England. The public are prone to think kindly of a new sovereign and Charles appeared worthy of his high office. In contrast with his father, he was an active and vigorous man, of noble and graceful bearing. The many portraits by Vandyke have made his face as familiar as though he had lived among us and have invested features not in themselves beautiful with all the charm that a great master can bestow. Charles was personally brave and he had many of the virtues that dignify private life. By his strict fidelity to his queen he set an example as rare as it was praiseworthy among the sovereigns of that time. He was sincerely religious without the theological pedantry of his father. He was industrious in the routine of kingship. He had a better taste in the fine arts and in elegant literature than any king of England before or since. He spoke and wrote correctly and with dignity, although without the occasional touches of humour or of insight which relieved the garrulity of James.

Such a king might in ordinary times have reigned in happiness and with honour. But an extraordinary time disclosed in Charles those faults of intellect and character which descended like heirlooms in the house of Stuart. With all his culture Charles lacked imagination and therefore lacked insight. He wanted the statesmanlike faculty of divining how a policy will impress great masses of plain men. He could not bend his mind to accept unpleasant facts or acknowledge to himself that men might honestly think otherwise than he did. He adopted in good faith the doctrine of absolute sovereignty which his father had so carefully taught; he acted on that

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CHAP. VI.

doctrine so far as circumstances allowed, and when it failed him in practice he had no other political compass. Nor had he the gift of choosing such advisers as might best supply his own defects. He followed the guidance of those whom he loved and whom he certainly did not choose for their politic wisdom. First Buckingham, then Laud, and lastly Henrietta Maria bore greater sway with him than any other councillor. Much as they differed in other respects, they were alike in being the most dangerous persons who could then have gained the ear of a king of England. In the course of the civil war he allowed more weight to the fanciful schemes of an intriguer like Digby than to the reasoning of a statesman like Hyde. Charles could never have placed in any superior mind that implicit confidence which Louis XIII. placed in Richelieu. His worst moral fault, it has been often and truly said, was insincerity. In a strait he would promise almost anything and trust to chance to save him from keeping his word. As he acted at Madrid when a youth, so he acted at Hampton Court or Carisbrooke when a grey and discrowned king, and he wrought his own violent end by convincing one party after another that with Charles they could make no stable agreement. Viewing all resistance to his will as either wicked or absurd, he felt as little scruple in deceiving an opponent as common men would feel in using falsehood to disarm a burglar or a madman.

The new king received from his father an inheritance of difficulties. In the Church the division between parties widened day by day. Half-hearted persecution had wrought its usual effect in making the puritans narrower and more militant. Many puritans now regarded the Church as thoroughly corrupt, and episcopacy as contrary to the Word of God. In opposition to the puritans there had arisen a party which they termed Arminian and which in England may be termed Anglo-catholic.

The austere and dogmatic temper of Calvin had attracted many of the most intense minds in the first age of the reformation, and as the Calvinists bore the brunt of the struggle with Rome in Western Europe, their influence was wide and deep. In France, in Scotland, and in Holland, Calvinism was almost co-extensive with protestantism. It left an impress even upon the Church of England which had been reformed by royal authority in the most conservative spirit. But a system

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CHAP. VI.

so narrow and rigid could not always satisfy minds which the reformation had excited to independent thought. In Holland a standard of revolt was raised by James Hermanszoon, better known as Arminius, a learned and amiable man who denied the Calvinist doctrine regarding grace and predestination. He found so many adherents among the wealthy and cultivated class that a difference of opinion in divinity threatened to produce a political schism. Maurice, Prince of Orange, strong in the attachment of the army and the common people, crushed the Arminians as a political faction. The Synod of Dort, which met in 1619, reasserted the Calvinist doctrines, condemned the Arminians as a sect, and gave the signal for their persecution. King James of England, a Calvinist by early training, although not by instinctive sympathy, sent divines to represent him at Dort and approved the conclusions of the synod. Yet at this very time and with his encouragement a reaction against Calvinism was spreading in his own kingdom.

The first reformers appealed from the authority of Rome to the Scriptures and to the teaching and practice of the primitive Church. But while all proclaimed Scripture to be the final test of truth, they differed in the degree of importance which they ascribed to Christian antiquity. The Calvinists tended to lay an exclusive stress upon Scripture and to discharge other guidance. The leaders of the reaction, while acknowledging, like other protestants, that Scripture was the one infallible guide in matters of faith and that even a general council might err, did not allow that the individual was sufficient to interpret it, but held that the traditional teaching and usages of the Church ought to be accepted as binding when not in contradiction with Scripture. Hence their tendency was conservative. While rejecting the doctrine of transubstantiation, they admitted the doctrine of the Real Presence and regarded the sacrament as far more than a simple commemorative rite. The clergy in their eyes had a higher and more mysterious character than belongs to men merely set apart to teach religious truth and give an example of good living. Government by bishops was not merely a lawful form of Church government, but the only form which had Divine sanction. Without bishops there could be no true Church, and without apostolic succession no true bishops.

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CHAP VI.

They admired that magnificence in sacred buildings which has always distinguished the Church of Rome and was therefore abhorred by the Calvinists. Condemning the invocation of saints and the adoration of images, they yet declared statues and pictures and stained glass windows useful as bringing the events of sacred history before the worshipper in the way most likely to stir his feelings and impress his memory. In the same spirit they valued sacred music and favoured the retention of ceremonies. Preaching, which, with the Calvinists assumed so exclusive an importance, they regarded as only one means of conveying Divine truth or exciting religious emotion. While the Calvinist identified the Christian Sunday with the Jewish Sabbath and enforced its observance with Pharisaic rigour, the Anglo-catholics accepted the older and more genial view that, after the discharge of their religious duties, men might devote the rest of the day to innocent enjoyment. On the other hand, they were careful to observe the festivals of the Church which the extremer Calvinists, at least, ignored as rags of popery. Most of the differences between the two modes of religious thought sprang from the ultimate contrast between those who laid emphasis on the relation of the individual soul to God and those who laid emphasis on the conception of a Church through which God communicates His influence to the individual soul.

Although the Anglo-catholic tendency might in one shape or another be traced throughout the English reformation, it had never been so manifest or pronounced as in the teaching of the new school, represented by men like Neile, Laud, Cosin, and Montagu. Towards the end of the reign of James I. it began to excite alarm among those who inclined to puritan ideas, that is, among the majority of religious people. The Anglo-catholics were led by all their habits of thought to judge less severely than most Englishmen the Roman Church, which, although they held it corrupt, appeared to them part of the Church of Christ. They were out of sympathy with the reformed communions in other lands, which, tried by their tests, were wanting in some of the essential marks of a true Church. Hence the Anglo-catholics were regarded by many as traitors to the protestant cause, and more dangerous than open enemies. In spite of all their learned arguments against the Church of Rome,

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CHAP. VI.

a great part of the public deemed them Romanists in disguise, and feared and hated them accordingly.

The dislike felt for the Anglo-catholics was deepened by their political opinions. They were a minority who desired to reform the Church on their own principles, and saw no way so prompt as to gain the help of the crown. They looked to the sovereign to compel alike the Roman catholic and the puritan into their middle course. To gain his favour some went even beyond earlier divines in exalting the prerogative, which they loved to represent as absolute and incapable of limitation. They addressed the king in language which, even when we allow for the manners of that age, is painfully servile. Thus they attracted the ill-will of many who, although they might not have cared to take part in theological disputes, regarded the Anglo-catholics as enemies to the liberties of England. They gained, however, the favour of King James, and in King Charles they had a convinced adherent. No English sovereign since the beginning of the reformation had so highly reverenced the priestly, above all the episcopal office. In the contest of the Anglo-catholics with the puritans, Charles was neither spectator nor umpire, but a devoted adherent of one party. Hence in his reign the religious controversy was inextricably blended with the political, and lent it an intensity which resulted in civil war.

Politics both at home and abroad wore a far less favourable aspect than when James had ascended the throne. The foreign policy adopted by Charles while yet Prince of Wales had cost much, and would in the future cost far more. The agreement to maintain 6,000 English troops in the service of the States-General involved a yearly expense of £100,000. Mansfeld's expedition, so unhopefully begun, absorbed £20,000 a month, or £240,000 a year. In May, Charles bound himself to pay the King of Denmark £30,000 a month, or £360,000 a year. While the king was overwhelmed with projects and expenses, his allies were unable or unwilling to give him much assistance. The Dutch promised to send twenty ships with the English fleet when it should put to sea, and allowed Charles to recall 2,000 English soldiers serving in their armies. But the French king could not be persuaded, even by Buckingham as ambassador, to join in a grand attack on the Spanish Netherlands in the hope of annexing Artois if victorious. With the

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Huguenots in arms, Louis was more than ever under catholic influence. He offered to subsidise the King of Denmark, to continue bearing his part of Mansfeld's expenses, and to send Mansfeld a few French horse; but he would do no more. CHAP. VI.

Charles was therefore constrained to have recourse to parliament for unprecedented sums, and he felt entitled to do so, as one house of commons had declared its resolution to spend life and fortune for the recovery of the Palatinate and another had applauded the breach with Spain. But the nation had no heart for a continental war, and, although it desired a naval war with Spain, was not willing to make heavy sacrifices. Parliament would be more concerned to define the royal prerogative than to vanquish the Spaniards, and in particular would strive to gain complete control over taxation. Religious passions were also likely to embitter politics. Nothing but an outburst of protestant zeal would nerve the nation to the effort which the king expected it to make. Yet Charles had just bound himself by treaty with France to allow the catholics a full toleration, and had promised to give Louis aid against the Huguenot rebels, which, trifling in itself, was enough to drive all England mad. In these circumstances the domestic quarrel between puritan and Arminian must break out with redoubled bitterness and must further embarrass the king who took one side so unreservedly. But Charles was too young and inexperienced to know his own danger.

On May 1, 1625, Charles married Henrietta Maria by proxy, and in the following month she came to England. Barely fifteen years old and a stranger to everything English, she had at first no influence with her husband. After Buckingham's death she began to gain power, and, as she matured and her husband's affection increased, she became one of his most trusted counsellors. Endowed with personal charms which in a queen might be termed beauty, and with all the grace and gaiety of her native land, she was well fitted to bear sway in the magnificent court of Charles. But it was hard for a French princess to understand the English character or English institutions. She was not familiar with any form of government save absolute monarchy. Protestantism, and still more puritanism, was to her only a form of rebellion against God which often led to rebellion against the king. She had courage, de-

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CHAP. VI.

cision, and a quick, although shallow intellect. She judged of public men as they pleased her taste, and added her personal caprice to the king's want of discernment in the choice of ministers. She became a centre of catholic intrigue, gave her sons the first bias towards her own Church, and proved in more ways than one the evil genius of the Stuart line.

With the death of James the parliament had expired. Charles lost no time in calling another, which met on June 18. In opinions and temper the new house of commons closely resembled its predecessors. All the most distinguished leaders of the popular party, Coke, Phelips, Sandys, Digges, Eliot, Pym, Selden, Wentworth, found seats there, while the crown had not a single spokesman who could compare with the least of these. To gain and to inspire the house Charles had to rely on Sir Richard Weston, the chancellor of the exchequer, who was more familiar with diplomacy than with parliamentary debate; on the solicitor-general, Sir Robert Heath, a respectable lawyer, and on Sir Humphrey May, a respectable official. The king's opening speech was little more than a general request for supply, and the lord keeper did not add much to what his master had said. Even when the houses had got to business, no minister or councillor explained precisely what the king meant to do or specified how much the king would need, and for what objects. All the lessons of the last parliament appeared to have been thrown away.

Left thus to their own guidance, the commons resolved to go into committee on religion and agreed on a petition to the king for the strict execution of the laws against recusants and for measures to advance the preaching of the protestant faith. When they had sent up this petition to the lords they went into committee of supply and resolved to grant two subsidies or £140,000. So small a grant implied that the commons either were not acquainted with the king's large designs or were not prepared to second them. As the plague was raging in London, the king declared himself ready to end the session as soon as possible, and most of the members returned home. Those who remained presently took into consideration the writings of Richard Montagu, Rector of Stanford Rivers, a member of that new school in the Church which the puritans esteemed little better than Romanist. His statement of the Arminian

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position entitled *A New Gag for an Old Goose* had called forth the displeasure of the last house of commons which brought his case before Archbishop Abbot. Abbot advised Montagu to correct his book, but he got the approval of James and defended his opinions in a new treatise, the *Appello Cæsarem*, which he dedicated to Charles. Montagu was committed to the custody of the serjeant-at-arms, and almost immediately after was named his chaplain by the king. CHAP. VI.

Three weeks had not elapsed since the meeting of parliament, and it was already at issue with the crown. Moreover, the commons, in their resolve to close the dispute about impositions once for all, departed from precedent in their bill for tonnage and poundage, granting these taxes to the king, not for his life as had been usual, but for the term of one year. Neither Charles nor Buckingham could be content with such meagre supply, and Sir John Coke, one of the commissioners for the navy, was instructed, although late, to make known how much the king wanted. He told the house what sums would be required for the fleet, for Mansfeld's army, and for the Danish king. He asked, not for an immediate grant, but for some assurance that the house would give at the proper time. There was no cordial response. The king adjourned the houses to Oxford on July 11, promising that he would answer their petitions there and in the meantime would put in execution the laws against recusants.

When the parliament re-assembled at Oxford on August 1, the commons at once returned to the subject of religion, complained that a pardon had lately been granted to a Jesuit in defiance of the king's promise that the penal laws should be enforced, and took up again the case of Richard Montagu. Heath warned the house against molesting a servant of the king. The only result was to complicate a theological with a constitutional dispute. Charles vainly tried by a personal appeal to recall the house to the consideration of his wants. Some were alarmed at the king's adventurous foreign policy and others murmured that nothing had been achieved with the money voted in the last parliament. The suspicion and ill-humour of the commons began to gather round the man who was known to have more power than all the other ministers of the crown put together. Buckingham, the popular idol of 1624, in 1625 was fast becoming an object of odium. The

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CHAP. VI.

duke was not willing to forego either his popularity or his vast schemes of foreign policy. He made his defence to the parliament, denying that he had acted without advice and entreating his hearers to support the king, at least in the war against Spain by sea. He assured the commons that the king had granted all their petitions, including the demand for the strict execution of the laws against recusants. But when the house met two days later, Buckingham's appeal had left no deep impression. One member after another, Phelips, Seymour, Wentworth, rose to express in slightly different terms their distrust of the king's advisers, especially of Buckingham. The king's patience was worn out. He resolved to dismiss the parliament, and adhered to his resolution in spite of all that the lord keeper and even Buckingham could say. The house, aware of the approaching end, adopted a protestation of their loyalty and readiness to grant all necessary supply to his majesty. On the same day, August 12, Parliament was dissolved. The bill granting tonnage and poundage for one year had not yet been passed.

Although crippled for lack of parliamentary supply, Charles was still hopeful of what might be accomplished by his naval armament against Spain. A rich booty might fill his empty coffers, and a brilliant success would in any case awake the old warlike spirit of the nation. The design was to strike a great blow somewhere on the Spanish seaboard, recalling the capture of Cadiz nearly thirty years before. Buckingham, the lord-admiral, would have been the natural chief, but Charles intended that he should go as ambassador to the Hague for the negotiation with Christian of Denmark and the North German princes. The command of the fleet as well as the troops was therefore given to Sir Edward Cecil, newly created Viscount Wimbledon, who had proved his courage in the Netherland wars, but was ignorant of all that concerned the sea and ships. By a false economy which might allege Elizabethan precedent the royal navy had been spared as much as possible, the fleet consisting of but nine king's ships together with seventy-three merchantmen pressed into the service. It was to be reinforced with twenty Dutch men-of-war, and was to carry 10,000 soldiers.[1]

[1] Compare with Gardiner, ch. lv., Dalton, *Life and Times of Edward Cecil*, vol. ii., ch. iv. and v.; also Oppenheim, *History of the Administration of the Royal Navy from 1509 to 1660*; *Charles I.*

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CHAP. VI.

On paper such an armament was more than respectable; but men, ships, and stores were all defective; skill, discipline and devotion were wanting; and the history of the expedition was an unbroken tale of shame and loss.

It was not until October 8 that the fleet cleared Plymouth Sound. Cecil had sailed without any definite orders and under the injunction to act only with the consent of a council of war. At a council called off Cape St. Vincent, it was finally resolved to make for St. Mary Port near Cadiz, where the troops could be disembarked to march against San Lucar, the port of Seville. But the attack was, almost by accident, turned against Cadiz. That city fills the broad extremity of a long, slender peninsula projecting from the Isle of Leon, which is severed from the mainland by a narrow and winding channel. The channel was spanned by the single bridge of Zuazo. The Isle of Leon with its long promontory forms the outer side of the Bay of Cadiz. Some two miles above Cadiz the bay contracts to a narrow channel, then defended by Fort Puntal, and presently widens again to form the inner harbour, completely sheltered but difficult of access to ships of deep draught. On October 22 the Earl of Essex, the vice-admiral, led the van into the bay with the intention of anchoring off St. Mary Port. But the sight of a Spanish fleet huddled under the guns of Cadiz and perhaps the remembrance of his father's glories were too much for the earl's power of obedience. Turning away from St. Mary Port, he fell upon the Spanish vessels. Cecil saw that his second was rushing into danger and, probably with a true instinct, pushed forward to his aid. The rest of the king's ships followed, but the merchantmen thought only of keeping out of fire. Fortunately the Spanish captains were panic-stricken at Essex's approach and fled into the inner harbour, while the English fleet came to anchor before Cadiz.

The attack on San Lucar was then abandoned, and some officers urged an immediate assault on Cadiz, which probably would have been successful, for the town was almost without defenders or munitions of war. But as it looked strong, Cecil preferred to attack Fort Puntal and get possession of the inner harbour with the ships which it contained. Before the fort could be taken reinforcements had been passed into Cadiz raising the garrison to 4,000 men. Other troops were on the march

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CHAP. VI.

thither and supplies were run into the town by swift galleys crossing from St. Mary Port. All hope of winning Cadiz by a sudden attack had disappeared, but it still seemed feasible to cut off communication with the mainland and to secure the ships in the inner harbour. Cecil, having disembarked all his troops, marched on October 24 towards the bridge of Zuazo, and left Lord Denbigh to provide for the attack on the Spanish ships. He met no enemy, but towards evening his men, who had tasted no food since they landed, found an ample cellar of wine in an abandoned house. Presently they were almost all drunk, shooting at each other and threatening their officers, and the only remedy was to stave in the casks as soon as possible

Cecil and his officers decided next morning to return to Puntal. He then learnt that the attack on the ships had failed. The Spaniards had warped them up a narrow creek at the far end of the inner harbour, and had sunk four merchantmen at the entrance, so as to leave a passage for only one assailant at a time under an overwhelming fire. A survey of the outworks of Cadiz satisfied Cecil that it could not be taken without a long siege to which his means were utterly unequal. It was resolved, therefore, to re-embark the troops and go in quest of the Plate fleet. On October 29 the English set sail for Cape St. Vincent. Two days later the Plate fleet unknown to Cecil entered the Bay of Cadiz. Aware of the approaching war, its commanders had steered far to southward and had hugged the coast of Africa. Cecil had resolved upon a long watch, but many of his ships were unseaworthy. Water ran short, and bad beer and provisions bred pestilence. On November 17 a council of war decided that they must return to England, as otherwise the men would soon be too few to work the ships. The fleet was scattered by storms, and each captain made his way home as best he could. By the time that Cecil's flagship, the *Anne Royal*, reached Kinsale 130 corpses had been thrown overboard and 160 of the survivors were sick. Such was the plight of other vessels which made Plymouth that in one day seven of the men fell down and died in the streets.

This great disaster was not quite without precedent. In the glorious days of Elizabeth ships had often been stinted of stores, the rations had been poisonous, and ten men had perished by disease for one who perished by the enemy's fire. Then as

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under Charles there was no effective military system, and the attack on Lisbon in 1589 had failed as utterly as the attack on Cadiz in 1625. None the less what had happened was grave indeed for the king. After long preparation his fleet had done nothing save dim the old renown of the English at sea and abate Spanish fear of English attack. The disclosure of the wretched state of the navy would envenom the ill-will already felt towards the lord-admiral, and Charles, determined as he was to uphold his friend to the uttermost, would share in Buckingham's unpopularity. He would soon be forced to call another parliament, and he would find it less than ever disposed to give him the means of waging war. CHAP. VI.

At this very time the French alliance was severely strained. The ill-considered endeavour to tighten the bonds of friendship between a catholic and a protestant nation had only bred enmity. In order to gain a French princess Charles had promised what he well knew he could not perform; to grant his catholic subjects a full toleration. In order to gain the support of the house of commons for his foreign policy, he had promised the strict execution of the penal laws. The French ambassadors protested, and Charles ordered pardons to be sealed for the priests then in prison. Henrietta Maria was not too young to be wilful, and the way in which she crossed the king's wishes made him suspect that her French attendants were abetting her disobedience, and resolve to rid himself of their meddling. The promise to lend Louis ships for service against the Huguenots had led to much bickering. Nothing would induce English seamen to serve in such a cause, and the government knowing how unpopular the loan would be in England, did not venture to force them, nay encouraged their resistance underhand, while affecting the utmost zeal to fulfil its engagement. After endless ignoble shuffling[1] Charles was relieved to hear that Louis had come to terms with his protestant subjects. He then lent the vessels to Louis for some less odious employment. But hardly had they been delivered when the Huguenots were again at variance with their king.

When Buckingham reached the Hague the only ambassadors whom he found there were those of Denmark, anxious

[1] See the curious details in Gardiner, ch. liii.

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CHAP. VI.

about the English subsidy which was already in arrear. By the treaty of the Hague, signed November 29, Buckingham bound his master afresh to pay King Christian £30,000 a month. But when he prepared to visit Paris, ask for the restoration of the ships, and mediate between King Louis and the Huguenots, he was told that he must not enter France until the French demands had been satisfied. Louis desired no visit from a man who had once ventured to lift his eyes to the Queen of France, and was not disposed to welcome the mediation of Charles in favour of the French protestants at the very time when Charles had broken his promise to protect the English catholics. On Buckingham's return, therefore, it was resolved in council to send a fleet to the relief of Rochelle and to reclaim the English ships, if necessary, by force, in other words, to challenge a war with France. A number of French vessels had been seized on the ground that they were carrying goods to the Spanish Netherlands, and their cargoes had been sequestered pending the judgment of the court of admiralty. As the exchequer was empty, the council gave orders to sell part of these goods. The order, first retracted, then renewed, led to French reprisals. Still anxious to restore friendship between England and France, Richelieu gave assurances that his master did not mean to persecute the Huguenots, although he could suffer no mediation between himself and rebels, and could not return the ships lent until the civil war was over. Charles pressed his mediation, and even when the Huguenots again made peace with their sovereign, took upon himself to declare the terms unsatisfactory. Blinded by self-will, he could not understand that Richelieu was of all men the most able and willing to help in the recovery of the Palatinate and the defence of the German protestants.

While the king thus raised up new enemies abroad, he was in the direst poverty. He had tried in vain to relieve his wants by a forced loan. The payment of Henrietta Maria's portion had given a brief respite, but he found before the end of the year that he must summon a new parliament. Having dismissed the lord keeper, Williams, for opposition to Buckingham, he gave the seals to Sir Thomas Coventry, a far less able politician but a staunch protestant, and he ordered the enforcement of the laws against the catholics. Coke, Phelips, Wentworth, and

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CHAP. VI.

other leaders of opposition in the last parliament were made sheriffs, so as to disqualify them for re-election. The new parliament met on February 6, 1626. As before, the king made no clear statement of his affairs or of his intentions. The commons, although ignorant of much, knew that there had been grave mismanagement, resulting in loss and disgrace. When Eliot with impassioned rhetoric demanded an inquiry into the causes of the recent disaster, he was sure of general assent. The committee of grievances next went on to inquire into the misunderstanding between France and England. By way of diversion the king asked the lords to take the state of the realm into consideration. Their committee having reported in favour of strenuous efforts both at sea and on the continent, the lords desired a conference with the commons in the hope of bringing them to resolve likewise. But the commons were too little satisfied with what had been done in the past to make any lavish promises for the future, and when the king sent a message asking for an immediate supply, a direct attack was opened upon Buckingham.

Doubly incensed at the attempt to call his minister to account, and at the aspersions thrown on a friend whom he loved with unreasoning affection, the king required that the members who had spoken against Buckingham should be punished. The house respectfully asserted its right to inquire into the causes of the distress of the crown. The king then summoned the commons to his presence, and warned them not to question any of his servants, much less one so near to himself; but he could not turn them from their purpose. When a fresh demand for supply was made, Eliot insisted on their right to arraign the conduct of favourites, quoted precedents most unpleasing to a royal ear, and advised that the house should adopt a resolution to supply the king's wants, but delay turning it into a bill until their grievances had been redressed. His motion was carried. They were again summoned to appear before the king, and were sharply reprimanded by the lord keeper. Charles added some ominous words: "Remember," he said, "that parliaments are altogether in my power for their calling, sitting and dissolution; therefore, as I find the fruits of them good or evil, they are to continue or not to be".[1]

[1] *Parliamentary History*, ii., 56.

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CHAP. VI.

Neither the king's rebuke nor the explanations tendered by Buckingham at a conference between the houses availed to frighten or appease the commons. On Eliot's motion they drew up a remonstrance which was presented to the king. The houses were then adjourned for Easter, and when they re-assembled Charles, whose temper had somewhat cooled, offered no hindrance to their proceedings. They accordingly began to frame their charges against Buckingham. At this critical moment the king exasperated the peers. The Earl of Arundel had been sent to the Tower because his eldest son had presumed to marry Elizabeth Stuart, a young lady connected with the royal house, whom Charles had destined for Lord Lorne. The lords treated his imprisonment as a breach of privilege, and demanded his release. The Earl of Bristol, unwillingly disgraced by James, was still restrained by royal command to his country house. He had been ordered not to appear at the first parliament of the reign. When the second parliament met, Bristol petitioned the lords to intercede with the king, that he might either be brought to trial or receive his writ of summons. The writ was sent, but with an intimation that he was not to act upon it. Bristol, treating a summons under the great seal as a command, thereupon came to London and begged that the lords would hear him as to the wrongs which he had suffered and the charges which he wished to bring against Buckingham.

The king saw with dismay that the whole story of the visit to Madrid, and of the faults and mistakes then committed by himself and Buckingham would be unrolled before parliament, at the very moment when he could barely hope for a supply and when the commons were preparing to impeach his friend. He tried to silence the accuser by bringing a charge of treason against Bristol, whom he had already declared innocent of any crime. The peers defeated his purpose by hearing, first the attorney-general, Heath, against Bristol, and afterwards Bristol against Buckingham. Next the king tried to stifle the matter by a message to the lords that he could himself bear witness to the untruth of Bristol's assertions. The lords would not, however, deny Bristol a hearing. Then the king tried to dispute Bristol's right to the assistance of counsel, and again the lords assured him that he was mis-

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taken. They even directed the attorney-general to take charge of Bristol's accusation against Buckingham. Bristol put in an answer to the charges against himself, but Buckingham put in no answer to Bristol. Although the parliament was dissolved before either cause could be heard to the end, Bristol had cleared himself to the public and heaped fresh odium upon his enemy. The king had merited the reproach of trying to ruin a faithful and honourable servant in order to gratify the resentment of a favourite. He had also been forced to yield with regard to Arundel, who was set at liberty on the urgent demand of the lords. CHAP. VI.

The commons were slow in maturing their impeachment against Buckingham. As finally drawn the articles charged the duke with accumulating many great offices, with buying and selling preferments, with procuring titles and pensions for his kindred and lavish grants for himself, with embezzling the moneys of the crown, and even with administering potions to King James in his last illness. They charged him with gross default in the office of admiral, with neglecting to guard the narrow seas, with failing to release a French ship when he should have done so, with lending vessels to the French king to be used against the protestants of Rochelle. Many of these charges were true, but most of the acts alleged were either conformable to the bad practice of the time or had been done by the direct order of the king, and could be called in question only on the principle that the king's command does not protect his servant in doing what is injurious to the public. In their impeachment of Buckingham the commons were asserting the responsibility of ministers as it is now understood, and as it had been asserted once or twice in the fourteenth and fifteenth centuries, but not under the house of Tudor or even under James. The entire confidence which the king was known to repose in the duke made their action trebly significant.

On May 8 the managers for the house of commons, among whom Sir Dudley Digges and Sir John Eliot were the chief, carried the articles of impeachment up to the house of lords. In the course of a fiery denunciation Eliot compared Buckingham to Sejanus, a comparison which Charles never forgave. Digges was said to have used some words about the late king's death which gave equal offence. Eliot and Digges

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CHAP. VI.

were promptly sent to the Tower, whereupon the commons refused to transact any business until they had been righted in their liberties. A majority of the peers signed a protest to the effect that Digges had not spoken the words alleged to justify his imprisonment. The king thereupon released Digges, but, unwilling to release Eliot, declared that he was under arrest for offences committed outside the house. As he could adduce no proof of such offences, he was driven to set Eliot at liberty. The commons drew up a remonstrance in which they declared that tonnage and poundage could not lawfully be raised without their consent, and refused supply until Buckingham should be removed from the king's counsels. Charles replied by dissolving parliament on June 15. He followed up the blow by ordering all copies of the remonstrance of the commons to be destroyed and by putting Arundel and Bristol under confinement. After vainly requiring the managers of the impeachment to bring their cause before the Star Chamber, he ordered the charges to be made and answered there, and the court gave judgment in the duke's favour.

A second parliament had given Charles nothing, and his poverty was sharper than ever. He continued to levy tonnage, poundage, and impositions without parliamentary sanction. A loan of £100,000 was demanded of the city of London, but was refused, although the aldermen agreed to lend the king £20,000 on their own account. The council sent letters to all justices of the peace that they should exhort their several counties to make a free gift proportioned to what they would have paid had the subsidy bill passed. In order to ensure a favourable answer, several leaders of the opposition, including Digges, Eliot, and Wentworth, were put out of the commission of the peace. But the nation was so little in the mood to give that the sum received was contemptible. The maritime counties were next required to furnish ships, and with better success. The king's plate was sold. A debasement of the currency was resolved upon, but not carried into effect. Finally the king determined on a forced loan, equal in amount to five subsidies, about £350,000. As the judges would not acknowledge it to be lawful, he sought to terrify them by dismissing the lord chief justice, Sir Randal Crewe. Still the other judges would not give way, and, fortified by their opinion, a large number of persons in all classes refused

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CHAP. VI.

to lend. Then the king had recourse to punishment. Gentlemen who persevered in their refusal were sent to prison and common men were pressed for soldiers. At length a sum of £236,000 was raised by means of the loan, amid general and bitter discontent.

Such devices were utterly unequal to the needs of that ambitious foreign policy which Charles could not bear to abandon. At the head of a number of North German princes, his uncle Christian had taken the field in 1625. But the English subsidy on which he depended to pay his troops had stopped in May of that year and despite the treaty of the Hague he had received nothing since. In August, 1626, Christian was so severely beaten by Tilly at Lutter that he had to retreat into his own territory. Meantime Charles was steadily moving towards a war with France. He ascribed all the frowardness of his young queen to the suggestion of the French ambassador Blainville, whom he asked Louis to recall, and of her French ladies and servants whom he at length dismissed. The dispute over French ships taken by the English still dragged on. Richelieu strove in vain to compose the differences between the two crowns, and Louis fell into the hands of that powerful catholic party which desired war against the Huguenots and friendship with Spain. At length the Duke of Epernon, governor of Guienne, seized the whole fleet of English and Scotch vessels sailing with wine from Bordeaux. Although Buckingham still talked of going as ambassador to France, the council issued an order to seize all French ships and goods in English waters. Louis demanded the complete execution of the marriage treaty and the release of the French ships. War thus became certain, and in March, 1627, the English commanders were ordered to make prize of French vessels wherever they could be found.

Charles counted partly on his superiority at sea, partly on the workings of Huguenot discontent, and partly on the aristocratic opposition to Cardinal Richelieu. As France had no navy worth the name, the English navy, notwithstanding its wretched condition, swept the channel and took many prizes, which brought in a large sum of money. A great expedition was planned to raise the protestants of southern France against the crown. What was left of the troops sent to Cadiz was reinforced with new levies of pressed men as undesirable as the

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CHAP. VI.

former and treated with as little care or humanity. Pay, clothing, food, medicine, and arms were alike wanting and were very tardily supplied. Buckingham took the command, with instructions first to offer the citizens of Rochelle the help which they would need if threatened with attack by their king, and then to make good the English mastery of the sea and destroy French and Spanish commerce. On June 27 the lord admiral sailed from Stokes Bay with 100 ships, carrying 6,000 soldiers, and on July 10 he appeared off the Isle of Rhé near Rochelle. The conquest of the isle would have given England a convenient base for naval operations and political intrigue, and to this end, although not specified in his orders, Buckingham devoted all his efforts.

The Isle of Rhé, a flat, narrow strip of land about eighteen miles in length, is separated from the mainland by a strait little more than two miles wide. Southwards it fronts the open sea, but northwards the waters enclosed between it and the mainland offer a sheltered anchorage. On the northern shore stands St. Martin, the chief town. The French government had lately built a fortress there and another at La Prée, towards the eastern end of the island, to help in controlling the passage of ships to and from Rochelle. St. Martin was in charge of a governor named Toiras with a garrison of 200 horse and 1,200 foot. When Buckingham began to disembark his soldiers, they showed the same lack of spirit and discipline as at Cadiz. Toiras charged them with his handful of horse and all but drove them into the sea. At length he was repulsed and all the troops were landed. For the siege of St. Martin the help of the Rochellese would have been invaluable, but only a few volunteers joined Buckingham. The soil being rocky, a month passed before the works of investment were completed. The blockade promised to be tedious, the besiegers began to melt away as troops on active service were wont to do in that age of ignorance and neglect, and the Rochellese, who were required by the French king's officers to take part against the English, loudly called on Buckingham for succour. He pressed for reinforcements and supplies, which were delayed by the want of money. When at length they were ready, gale after gale drove the ships back to port. French troops were passing into the Isle of Rhé and would soon be strong enough to take the offensive.

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CHAP. VI.

On October 27 Buckingham tried to carry St. Martin by storm, but the scaling ladders were too short and the assault failed. Nothing remained but to quit the island as soon as possible. On the 29th, as the English were marching to the ships, the French under Marshal Schomberg fell upon them and slew upwards of 1,000. Buckingham brought back scarcely 3,000 men to England. Although he had shown personal courage he had done nothing save lower the credit of his country and drain the last resources of the crown.

Louis, in proof of his pacific temper, sent back the prisoners taken in the Isle of Rhé unransomed, but Charles and Buckingham were resolute to continue the war. Having led the citizens of Rochelle into revolt, they felt bound in honour to do their utmost for the relief of the city, which was closely invested by the royal forces. They determined that next spring Lord Denbigh should lead a new armament to its relief. Sailors and soldiers therefore had to be kept in pay, or at least kept alive, ships had to be refitted, and supplies had to be passed into Rochelle before the besiegers should close the mouth of the harbour. While continuing the French war, Charles also tried to help his uncle, the King of Denmark. He could not, indeed, pay the promised subsidy, and his only available force was the contingent which, by the treaty of 1624, England had agreed to furnish to the Dutch armies. The term of the treaty having expired, Charles sent on these soldiers to Christian. Originally 6,000 strong, they had dwindled to 2,500. Men were pressed in England for the service, but sickness and desertion made more gaps than could be repaired. In the autumn the converging armies of the emperor drove Christian to take refuge in his islands, and locked up the handful of Englishmen in the fortress of Stade on the Elbe. Thus the king's warlike projects everywhere ended in defeat and loss.

Soon after Buckingham returned from the Isle of Rhé the means used by the king to enforce contribution to the loan were called in question before a court of justice. Among the persons imprisoned for refusing, five gentlemen, Sir John Corbet, Sir Thomas Darnel, Sir Edmund Hampden, Sir John Hevenyngham, and Sir Walter Erle, sued out their *habeas corpus* in the court of king's bench. They were brought to the bar and their case was argued on November 22. Their counsel maintained

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CHAP. VI.

that although the king and the privy council could commit to prison, the cause of committal must be expressed, so that, when the matter came before the king's bench, the judges could either admit to bail or remand to prison as they saw proper. The great charter and other venerable statutes were quoted in support of this doctrine. On the side of the crown, reason of state was urged. In some cases persons known to be innocent must be kept in custody for an indefinite time because they might be dangerous if set at liberty. In other cases, where men were charged with grave crimes, it might be necessary to imprison them for a long time while the facts were scrutinised. An opinion of the judges in Queen Elizabeth's reign was quoted to the effect that the crown need not always show cause for committing a man to prison. After hearing the arguments, the judges refused to admit the prisoners to bail, but would not venture on the assertion that the crown might persist for an indefinite time in refusing to show cause.[1]

The king's poverty became more and more alarming. The proceeds of the forced loan were spent faster than they came in; the revenue was anticipated; crown lands were mortgaged or sold, and £120,000 was borrowed from the city of London on the security of the king's rents. An excise upon wine and beer was mooted in the council, only to be abandoned. After releasing the persons imprisoned for refusing the forced loan, Charles ordered an issue of privy seals, the same expedient in another form, but hopeless in the actual temper of the public. Then he bethought him of extending the ancient impost of ship-money to all the shires, and they were assessed at a rate which would have produced £173,000 from the whole of England, but the murmurs were so loud and general that the king drew back. Buckingham is said to have suggested the raising of an army which would enable the crown to extort as much as it wanted. Others pressed the king to call a parliament, and after a struggle he gave way. On January 30, 1628, he ordered the issue of writs for the election of a parliament which was to meet on March 17.

[1] *State Trials*, iii., 1.

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CHAPTER VII.

THE THIRD PARLIAMENT OF CHARLES I.

As matters then stood, it was natural that the elections of 1628 should go against the court and the new parliament be less tractable than the old. Nor had Charles made any progress in the arts of popularity. His failures, instead of leading him to consider whether he had not made mistakes, had embittered him against parliaments for refusing him the means of success. He forbade the Earls of Arundel and Bristol as well as the Earl of Lincoln, who had been active in resisting the forced loan, to take their places in the house of lords. The same prohibition fell on Archbishop Abbot, who had fallen into disgrace on account of his antipathy to the new school of divines, and on Bishop Williams who had lost the great seal by resisting Buckingham's folly. The king warned the commons that, if they would not supply his wants, he must in conscience use those other means which God had put into his hands. "Take not this as a threat," he added, "for I scorn to threaten any but my equals." Neither house was to be quelled in this fashion. The lords at once inquired into the reason why some of their house were absent, and the missing peers were presently allowed to return. The ablest chiefs of the commons had met before the opening of parliament and had agreed to drop the impeachment of Buckingham, but to demand all the more firmly the redress of grievances.

These grievances were clear. Unparliamentary taxation was the first. At this time the bulk of the king's revenue was raised by the king's sole will and pleasure. Arbitrary imprisonment was another and an equal grievance. The two left no more liberty in any real sense of that term. A lesser and partial grievance was the billeting of troops upon common

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CHAP. VII. householders, especially as those troops were neither disciplined nor paid. A fourth was the enforcement of martial law at a time when there was peace within the kingdom, for martial law was recognised as valid only in time of war or rebellion. In order to check the disorder of the troops, Charles had issued commissions for the enforcement of martial law, and not only soldiers but civilians who had taken part in their offences were tried by virtue of these commissions. Finally, all the excesses of power had been justified and all the restraints of law upon the crown had been denied in the pulpit, and even in the presence and with the approval of the sovereign, at a time when the state punished most rigorously all utterances which were held to be unsound either in politics or in religion. The commons, finding in the political doctrines of the Arminian clergy a new proof that they were conspiring with the Romanists against the liberty of England, were still more exasperated against both and still more bent upon their repression.

The house resolved that consideration of grievances must precede supply, and put before all other grievances the attack on the liberty of the subject. It agreed upon four resolutions, the first condemning taxation without parliamentary grant, the other three guarding against arbitrary imprisonment. In order to testify its loyalty, it resolved to vote the king five subsidies, taking care that the vote should not be reported, in other words, that no authentic record of the vote should be made. Then came the question how best to give effect to the four resolutions, whether by laying them before the house of lords, or by petition to the king, or by a bill. Wentworth was in favour of proceeding by bill. Once it had been passed into law, the person and the property of every Englishman would be safe, and all obscure or irritating dispute as to what the law had been would be excluded. But the majority preferred to argue the case for the resolutions before the lords. The billeting of soldiers and the exercise of martial law were next discussed. When the representatives of the commons came to argue for the resolutions, most of the peers, feeling that some discretionary powers of taxation and imprisonment must be left with the king for the public safety, tried to find formulas which should reconcile this discretion with the supremacy of the law. But the effort was hopeless, and the propositions offered by the lords were easily

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shown to be so vague that they imposed no real restraint on the king's power. CHAP. VII.

Wentworth again urged that a bill should be drawn. The house agreed, and a sub-committee produced the draft of a bill forbidding arbitrary taxation and imprisonment and the billeting of soldiers. The king's impatience could no longer be controlled. On April 28 the commons were ordered to appear before him in the house of lords, and the lord keeper declared by his order that the king held the great charter and the other statutes cited to be in force, and would maintain his subjects in the just freedom of their persons and safety of their estates. They were assured that the royal word was as strong a security as any law that they could make. Later, when the bill was introduced, Charles sent word to the house that he wished the question to be put, whether they would rest on his royal word and promise. His spokesmen in the house hinted that no law could take away his discretionary power of acting for the public safety. In courteous yet firm language, Wentworth declared that they trusted the king's goodness so far as they were concerned for themselves, but that the public violation of the law by his ministers required a public amend. The house resolved that a remonstrance to this effect should be drawn up. The king replied that he would repeat his promise, but would not hear of any encroachment on his prerogative. The house insisted on presenting the remonstrance nevertheless. The king virtually repeated his first answer. The house was not to be moved from its purpose, but chose a different procedure, by petition, not by bill.

The sub-committee which had prepared the bill was instructed to draw up a petition of right, asserting that the law had been broken in several ways and demanding that no such breach should occur again. By May 8 the work was done and the lords were invited to a conference. After some discussion the lords adopted the petition with a new clause to the effect that in presenting it the houses meant to leave entire the sovereign power entrusted to the king for the safety of his people. They intended this saving clause to affect only the restraint on the royal power of imprisonment without cause shown. But, as Buckingham construed it to extend to the whole petition, and the commons with one voice refused it altogether, the lords at

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CHAP. VII.

length consented to drop the additional clause. The lords then invited the commons to join with them in committee, to see if they could devise any declaration which would satisfy the king that they did not mean to encroach on his prerogative. Wentworth, who confessed that in the opinion of wise men the petition stretched very far on the king's power, wished to accept the invitation. But his influence had declined, and the commons would not hear of the joint committee. The lords, without pressing the point further, accepted the petition on the 28th.

The king then had to consider his answer. In his eyes the house of commons, after disabling the state in time of war, were trying to pare down his prerogative, and, had he been able, he would have silenced them long before. But everywhere fortune was adverse to the king. On April 27 Stade had surrendered to Tilly. Early in May Denbigh had found the obstructions of the harbour of Rochelle too strong and returned to England without striking a blow. The king had given orders to renew the attempt to relieve Rochelle. But the ships, although they had seen so little service, were badly in need of repair; provisions and even water were wanting; and the crews were falling sick by hundreds. Although Charles could not give a blunt refusal, he would not, if possible, give a frank acceptance. He consulted the judges as to whether he might in no case imprison a subject without showing cause, and they admitted that in some cases he might, but that the court had a discretion as to the length of such imprisonment. He next submitted to the privy council the question how the petition should be answered, and they agreed upon a form of words most ingeniously devoid of meaning. On the following day the king appeared in the house of lords, the commons were summoned to the bar and the lord keeper read the following answer to the petition: "The king willeth that right be done according to the laws and customs of the realm; and that the statutes be put in due execution, that his subjects may have no cause to complain of any wrongs or oppressions contrary to their just rights and liberties to the preservation whereof he holds himself in conscience as well obliged as of his prerogative".[1]

When the commons re-assembled, Eliot gave utterance to

[1] *Lords' Journals*, iii., 835.

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CHAP. VII.

their discontent. After moving that they should postpone considering the king's answer until June 6, he recounted all the faults and misfortunes of the government during the last three years, ending with the proposal that the house should agree upon a remonstrance to the king. The house accepted his motion. The king tried to stifle the remonstrance by a message that the session must close in a week's time and that they must finish their business without entertaining new matters. The house took no heed of the message. Then a second message forbade the house to lay any scandal or aspersion on the state or its ministers. At the prospect of an immediate collision with the crown the members were so deeply moved that many shed tears. It was even proposed that every man should ask his majesty's leave to go home, as they could do no good by remaining together. But when the first shock of disappointment had passed, the house was as unyielding as ever, and when Coke boldly denounced Buckingham by name as the cause of all their miseries, member after member joined in approval, and the clauses of the remonstrance were rapidly voted. As the lords gave it to be understood that they were averse to a dissolution, the king did not think fit to use that extreme measure. He therefore bent to necessity, and on June 7 gave his assent to the Petition of Right in the accustomed words, *Soit droit fait comme est desiré*.[1]

The Petition of Right[2] has always been accounted one of the greatest of English statutes and one of the main bulwarks of English liberty, nor is this judgment inaccurate, for it robbed absolute power of some of its most dangerous weapons. It restrained the king from exacting "any gift, loan, benevolence, tax, or such like charge without common consent by act of parliament," words of which the precise import was soon to be disputed, but which certainly made all direct taxation at the royal will and pleasure illegal. It forbade the imprisonment of any man without cause shown, so that, when a prisoner was brought before the judges by writ of *habeas corpus*, they could determine whether he should be released on bail or otherwise or recommitted to prison. It is needless to dwell upon the significance of these clauses. We need more consideration

[1] *Lords' Journals*, iii., 842. [2] 3 Car. I., ch. i.

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CHAP. VII.

to measure the full import of those which forbade martial law and the billeting of soldiers. If the king could authorise the enforcement of martial law when there was peace within the kingdom, he could not only form an army altogether subject to his will, but he might extend this special jurisdiction, as it had already been extended, to offenders who were not soldiers. The billeting of soldiers upon the citizen, even when they are under strict discipline, may easily be made a most exorbitant tax and a most severe punishment. But in the early part of the seventeenth century the billeting of soldiers meant something far worse. The soldier, taken from the lowest class of society and too often left by the state without pay, food, or clothing, was not seldom a lawless and brutal ruffian. The householder who was forced to entertain such fellows might expect to have his goods wasted and spoiled, to be himself reviled, beaten, half-murdered, to see his women insulted, if not foully outraged. The soldiers collected in the southern counties for the French and Spanish wars had under like temptations begun to act like the soldiers of Mansfeld or Tilly, and in a few years would have become equally proficient in evil. It is true that states must have armies and that armies must be disciplined, lodged, and fed. But the means which had been taken to attain these ends were so pregnant with evil that only an imminent national danger such as did not exist in 1628 could justify their acceptance.

While pressing the Petition of Right the commons were careful to maintain that they stood upon the ancient law and designed no encroachment on the established prerogative of the crown. In proof of this assertion they quoted a series of statutes from Magna Carta downwards. On the other side the king might have appealed to a number of precedents from the accession of the house of Tudor down to his own time. It was undeniable that previous sovereigns had taxed the subject at their own discretion by means of benevolences and forced loans, and had often imprisoned men for refusing such contributions, or for some other reason which could not be made good by legal argument. Practice could thus be quoted against the letter of the law, and in political controversies no candid reasoner will refuse weight to practice, for government cannot always be guided by purely legal considerations. The true justification of the commons lay

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CHAP. VII.

in the imperious need for ending this state of doubt and uncertainty. The time had come when England must be either a country of legal freedom or a country of absolute power. The Stuarts, to use Burke's phrase, had made the medicine of the constitution its daily food. Out of all the arbitrary acts of high-handed rulers, often in times of real stress and peril, they had made a practice of the constitution, and then, going beyond the Tudors, they had based this practice on a clear and rigorous theory of monarchical power which recognised in the law no force but the sovereign's pleasure and gave the subject no title to his liberty but the sovereign's forbearance. Parliament could not but join issue with such kings.

Although the commons were much gratified by their success, they did not therefore lay aside their remonstrance as the king expected they would do. They went on to the censure of divines who had exalted the prerogative of the king and had received marks of his favour. Dr. Robert Sibthorpe in an assize sermon at Northampton had declared the king to possess legislative power and had denied any right of resistance to his will in any case. Charles had ordered Archbishop Abbot to license the sermon for the press, and, on his refusal, had placed him in honourable confinement in one of his own houses, and entrusted his jurisdiction to a commission. Dr. Roger Manwaring in sermons preached before the king himself had denied that the consent of parliament was necessary to taxation, and again the king insisted that the sermons should be licensed. Even Laud raised objections, but the king was firm. Sibthorpe escaped punishment but Manwaring was impeached. The lords sentenced Manwaring to imprisonment and fine, suspended him from preaching at court for life and elsewhere for three years, and declared him incapable of any ecclesiastical dignity or civil office. The one concession which the commons made to the king was pushing forward the bill for a grant of five subsidies.

The remonstrance when complete included the usual demand for a severe enforcement of the laws against the catholics and the usual denunciation of the Arminian party in the Church. But its chief theme was the excessive power of the Duke of Buckingham and his abuse of that power. Charging upon the duke all that had been done amiss since the king's accession, it demanded his removal from office and from the court. Such

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CHAP. VII.

an indictment went far beyond the truth. Buckingham was altogether unfit for the great place to which he had been raised by royal folly, but he was not a traitor and he had rarely done anything without the king's knowledge and approval. Charles saw in Buckingham a faithful servant persecuted for zeal and devotion; and he rejected the remonstrance curtly. The commons then went into committee on the bill for granting tonnage and poundage. Intending to make changes of detail which would require long discussion, they desired to pass a temporary bill, and, when the king would not hear of this, they wanted an adjournment instead of a prorogation. The king refusing this also, they began a second remonstrance, declaring that no imposition ought to be laid upon goods without common consent by act of parliament, and that the levy of tonnage, poundage, and other impositions in any other way was contrary to the Petition of Right. Not to receive a second remonstrance, Charles, on June 26, prorogued the parliament in a sharp speech.

In their last remonstrance the commons had taken doubtful ground. Politically, they were right in thinking that the levy of tonnage, poundage, and impositions by the sole authority of the crown was dangerous. Legally, the judgment of the court of exchequer declaring the crown entitled to levy impositions could not be set aside by a mere resolution of the commons or overruled by anything less than an act of parliament. The commons indeed alleged such a statutory prohibition in the terms of the Petition of Right. But it is doubtful whether the petition can be construed in this way. It forbade, as we have seen, the taking of "any gift, loan, benevolence, tax, or such like charge". In modern parlance the word tax would cover duties on merchandise as well as every other public exaction. At that time, however, the word tax was often used in a narrower sense to signify direct taxes only. Moreover it is a rule of legal interpretation that the sense of a general term is restricted by the particular terms with which it is coupled. Lastly, those who drew up the Petition of Right were well aware that the judges would construe every statute limiting the prerogative in the narrowest possible spirit and that no terms could be too plain to defeat their subtlety. We may conclude that, if the Petition of Right had been meant to restrain the levy of tonnage, poundage, and impositions, it would have named them expressly

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CHAP. VII.

as it named gift, loan, or benevolence. With so much resistance to encounter, its framers may well have been content to deal with direct taxation only, leaving indirect taxation to be settled in a separate bargain with the king.[1]

In all that related to the Church the king showed his stubborn resolution to ignore the wishes of the majority of the house of commons. Having promoted Montaigne, the unpopular Bishop of London, to be Archbishop of York, he translated to London Laud, Bishop of St. David's, whom the commons had expressly censured for Arminian doctrine. About the same time he conferred the bishopric of Chichester on Montagu whose books the commons had condemned. He pardoned Manwaring and gave him the rectory of Stanford Rivers vacated by Montagu. The effect of these promotions in the Church far outweighed all that Charles could gain by restoring to favour the leaders of the middle party in the house of lords, such as Bristol and Arundel. Nor did it avail that Williams was allowed to make his peace with Buckingham and once more to give good counsel which was not taken. Charles had lately gained a new adviser who was more congenial than these men. Sir Thomas Wentworth, long known as one of the ablest leaders of opposition to the court, made his peace with the king and was created a baron. Before the end of the year he had become Viscount Wentworth and, on the retirement of the Earl of Sunderland, president of the council of the north.

Down to this day men have debated the motives which led Wentworth to change sides. Motives cannot be directly known, and in such cases are not likely to be conjectured with indifference. Wentworth was probably swayed by many considerations. Most members of the popular party opposed the court quite as much on religious as on political grounds. They were puritans, but Wentworth was not, and therefore lacked the strongest bond of sympathy with his fellows. Wentworth was a passionate, imperious man, proud of his lineage, talents, and wealth, and he might well be angered at the way in which the house of commons had slipped his control and given itself to Eliot, a man of so different a temper that he could not have been pleasing to Wentworth. Wentworth might honestly think that

[1] For a fuller discussion of this point see Gardiner, ch. lxiv.

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CHAP. VII.

the commons in the debates which ended the session had gone too far and that they threatened to make government impossible. It has been said that he was impelled to oppose the king chiefly by mistrust of Buckingham and dislike of his foreign policy, but it must be remembered that he took the decisive step while Buckingham, still full of life and unshaken in the king's confidence, governed all affairs of state. When we have given due weight to all that can be urged in Wentworth's favour, it is hard to account for so sudden and total a conversion, apart from motives of self-interest.

Self-interest, undoubtedly, was in favour of such a change. There have been times and countries where the trade of a demagogue has been very profitable; but in England under the first Stuarts even sober and conscientious resistance to the sovereign's will brought no rewards and many penalties. It gave neither fame nor notoriety, for political action was confined to parliament, and debates and divisions were not published; it closed every door to power and promotion; it might involve long terms of imprisonment, and in any case marked a man for the unremitting hostility of the crown and its servants. Much as the crown had lost in moral weight since the death of Elizabeth, it was still the supreme authority; it alone could give what ambitious men prize, wealth, titles, office, and the opportunity of exercising high administrative faculties such as Wentworth possessed in an eminent degree. Nor was there any likelihood that this state of things would be changed soon, if ever. We, who know the result of the conflict, are prone to think that the victory of the parliament over the king must even then have been expected; but to contemporaries the reverse might well seem much more probable. Whatever Wentworth's motives, his conversion was full and final. Hitherto he had boldly asserted the supremacy of the law over prerogative; henceforth with equal boldness he asserted the supremacy of prerogative over the law. No ingenuity can harmonise the two halves of his public career, although in fairness it must be remembered that inconsistency by itself does not prove a statesman dishonest.[1]

[1] See Gardiner, ch. lxiv. and subsequent chapters, for the most favourable view that can be taken of Wentworth's conversion.

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CHAP. VII.

As in the former recess, Charles and Buckingham were left to carry on war without the needful means. They were beginning to desire peace with Spain and with France if they could have it on their own terms, but, as they had won no victories, this was impossible, and they felt bound in honour to attempt the relief of Rochelle, then enduring the last agony. In August the king went down to Portsmouth to inspirit the preparations which languished for want both of money and of zeal. A few days later the duke followed. On the morning of August 23, as he was speaking to one of his officers in the hall, a stranger plunged a knife into his heart. He expired almost instantly. The murderer who did not attempt flight, was presently seized and proved to be John Felton, a lieutenant in the army, a man of decent birth and character. Felton had been wrought up to the belief that it would be a righteous deed to kill the duke, partly by his own grievances, the default of pay and refusal of promotion, partly by brooding over the remonstrance of the commons and the book of a certain Dr. Eglesham in which Buckingham was charged with atrocious crimes, such as the murder of King James. He was brought up to London and lodged in the Tower. The king consulted the judges whether Felton could be put to the rack in the ordinary course of law, and the judges with one voice replied that he could not. He was tried on November 27, pleaded guilty, and expressed some remorse for his crime. After his execution at Tyburn, his body was sent to Portsmouth to be hung in chains.

The Earl of Lindsey took command of the fleet which Buckingham had been preparing for the relief of Rochelle. It was made up almost equally of king's ships and merchantmen pressed into the service. Lindsey put to sea on September 7, but it was not until the 23rd that he made his first attempt to force his way into the harbour. He came too late. The besiegers had pushed out moles from either side of the harbour mouth, which left only a narrow interval, barred by a palisade, while the approach was beset by a numerous flotilla, supported by batteries on shore. The English fleet was in no condition for a vigorous assault. The masters of the merchantmen had only one thought, how to suffer as little harm as possible. The royal ships drew so much water that they could not close with the enemy. An idle cannonade was followed the next day by an

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CHAP. VII.

equally fruitless attempt to send in fireships. A daring messenger from the town reached the fleet with tidings that the citizens could endure no more, and Lindsey, finding himself helpless, resolved to try negotiation. He sent Walter Montagu to Richelieu, who took the Englishman over the works, showed him that relief was impossible, promised that the Huguenots should not be persecuted, and insisted on one thing only, that Rochelle must submit to King Louis. Montagu was then sent back to England to tell the king what Richelieu had said and to add that the fleet was in want of bare necessaries. Impotent as he was, Charles still required that Louis should raise the siege and restore the Huguenots to all their former privileges. A few days later, on October 18, Rochelle surrendered.

Although Charles could not bring himself to make peace, the war was virtually over. Throughout its course the cardinal had shown himself a wise and temperate statesman; the citizens of Rochelle, however misguided, had given a glorious example of constancy to the cause which they held divine; and England and her king had made a very sorry figure. Charles seems never to have asked himself how the feeble interference of a foreign government must affect the interests of the Huguenots; or how he could help his sister and the protestant cause in Germany while he distracted France, the natural enemy of the house of Austria, by a war with England; or how he could himself contend against the three most potent monarchs in Europe while carrying on an intestine struggle with his parliament. Charles imagined that his desires, or at best his honour and conscience, were to give the law, not to his subjects merely, but to foreign rulers and to the instincts of mankind. Failure only strengthened his delusions, and, however hopeless the struggle, he would never treat until he had lost all the advantages which might move an enemy to give him good terms.

At home the aspect of affairs was unpromising. As the house of commons had condemned the levy of tonnage, poundage, customs, and impositions by the sole authority of the crown, it was natural that many merchants should refuse to pay these duties. Some of them were imprisoned. In other cases the goods were seized and then the owners tried to recover them by action of replevin, the remedy for unlawful distraint. The

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court of exchequer held that the goods might not be thus recovered out of the king's possession, and that these differences must be settled in parliament. A certain Richard Chambers, when called before the council to answer for refusing to pay duty, declared that "merchants were in no part of the world so screwed and wrung as in England. In Turkey they have more encouragement."[1] He was sent to the Marshalsea and the attorney-general preferred an information against him in the Star Chamber. Parliament, which should have re-assembled in October, was prorogued until January. At the same time an effort was made to end the controversies in religion. A royal declaration announced that all further curious search was to be laid aside and that none were to dispute on the articles of religion. Pardons were granted to several clergymen who had incurred the displeasure of parliament and at the same time Montagu's *Appello Cæsarem* was called in by proclamation. The endeavour to silence theological controversy in an age when it was an absorbing passion would hardly have been successful, although made by the most impartial sovereign. But where the sovereign was a partisan himself, it could only mean that the puritans would be punished for expressing their opinions, while the Arminians would be free to inculcate all their distinctive doctrines in the ordinary course of spiritual teaching.

The houses met, therefore, on January 20, 1629, in an irritable humour. The commons noticed that the Petition of Right had been printed and circulated with the king's first unmeaning answer affixed; one of those petty acts of dishonesty by which Charles convinced the world that he could never be held to a promise. Then complaint was made of the seizure of the goods of merchants for refusing to pay duties not granted by parliament. A few days after the opening of the session Charles sent for the houses and explained that he had only meant to assert the necessity of taking customs till they could be granted in the regular way, not a claim to levy them by his own prerogative. His speech raised the hope of a settlement, for, the principle once acknowledged, it is probable that the dispute as to impositions might have been compromised. But the commons soon plunged into the more alluring discussion of the

[1] Rushworth, i., 672.

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CHAP. VII.

differences in the Church. Eliot seized upon the obvious argument against the king's declaration, that, while enjoining silence, it really allowed one side, and one only, to set forth their doctrine. Nor was the house much wiser than the king, or more disposed to toleration. Montagu's bishopric, the pardons granted to him and other divines, the alleged misdeeds of Neile, Bishop of Winchester, the indulgence shown to Roman catholic priests, all served to chafe the angry feeling of the commons until they resolved to prosecute some of the clerical offenders before the house of lords. Then they reverted to the yet open question regarding tonnage and poundage. The seizure of goods and the prosecution of some of the owners in the Star Chamber were sharply questioned. They sent a message of remonstrance to the barons of the exchequer. They called the custom-house officers to their bar. They declared that a merchant who was one of their own members ought to have privilege for his goods as well as his person. The king informed the house that the officers of the customs had acted by his command, and the house adjourned in order not to decide hastily on this grave information.

Meantime a sub-committee had prepared a series of resolutions on religion which declared that popery and Arminianism were spreading, that orthodox doctrine was suppressed, and that its opponents had been preferred to bishoprics and deaneries, had been taken into special favour, and had obtained, under the crown, the chief administration of ecclesiastical affairs. Among these last Neile and Laud were mentioned by name. The resolutions demanded that the assailants of orthodoxy should be punished, that their books should no longer be licensed, and that preferment should be given only to godly and pious men. The king in alarm ordered a further adjournment for a week and an early dissolution was expected. When the house reassembled on March 2, the speaker, Sir John Finch, declared the king's pleasure that it should be adjourned until the 10th, and put the question to that effect. He was met with cries of No, and Eliot seized the moment to speak. Finch announced that he had an absolute command from his majesty to leave the chair if any one spoke, and he rose accordingly. A tumult followed and Holles and Valentine held him down in the chair by main force. Eliot asserted the right of the house to adjourn

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CHAP. VII.

itself, and tendered a protestation which the speaker would not put to the vote. The house ordered the doors to be locked. Eliot in a vehement speech explained and justified his protestation, but finding the speaker obdurate, threw it in the fire. The king, growing impatient, sent for the serjeant to bring away the mace. The house let him go, but without it. The usher of the black rod was then heard knocking at the door with a message from the king. Charles had sent for his guard to break in, and in a few moments all would be over. Holles delivered from memory the contents of Eliot's protestation:—

"Whosoever shall bring in innovation in religion, or by favour seek to extend or introduce popery or Arminianism, or other opinions disagreeing from the true and orthodox Church, shall be reputed a capital enemy to this kingdom and the commonwealth.

"Whosoever shall counsel or advise the taking and levying of the subsidies of tonnage and poundage, not being granted by parliament, or shall be an actor or an instrument therein, shall be likewise reputed an innovator in the government and a capital enemy to this kingdom and commonwealth.

"If any merchant or other person whatsoever shall voluntarily yield or pay the said subsidies of tonnage and poundage, not being granted by parliament, he shall likewise be reputed a betrayer of the liberty of England and an enemy to the same."[1]

As the speaker remained impassive, Holles put the resolutions to the vote and they were carried by acclamation. Then the house voted its own adjournment and the members dispersed.

The council was divided in opinion, but the king was bent on dissolving parliament. He put forth a declaration in defence of his conduct, alleging that his predecessors had always levied tonnage and poundage by their own authority until it could be granted by parliament, and that his doing this had been made a pretext by the commons for calling his servants to account and interfering with the course of justice. He complained that parliament had first persuaded him to war and then made his necessities a means of enforcing conditions incompatible with monarchy. He promised to observe the Petition of Right, but

[1] *Parliamentary History*, ii., 491.

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CHAP. VII.

announced that he would allow no innovation in religion. Nine members of the house of commons were imprisoned for their part in the late proceedings. One or two made their submission and were accordingly set at liberty. Others firmly refused to answer out of parliament for anything said or done in parliament, and these the king was determined to crush by the utmost severity. Charles had so recently accepted a statute against arbitrary imprisonment that even he could not directly break it, and was forced to apply to the judges for means to wreak his revenge.

The attorney-general was instructed to submit a series of questions to the two chief justices and the chief baron. It was suggested that some things said and done in the house amounted to a conspiracy against certain privy councillors. It was also suggested that, when the house received the king's command to adjourn, it was adjourned in law and its members were thenceforward a crowd of private persons whose disorderly acts amounted to a riot. The judges were in a sore dilemma, for the king would probably dismiss those who should give an opinion at variance with his wishes, and, whenever a new parliament should meet, the commons would probably take signal vengeance on those who had furthered an attack on liberty of speech. Accordingly they gave the most cautious reply which they could frame. The king pressed for an answer more suitable to his purpose, and the three chiefs advised that he should take the opinion of all twelve judges. The twelve were equally wary, advising that the case should be argued in the Star Chamber. Meantime the prisoners applied to the king's bench for a writ of *habeas corpus*, thus forcing the government, under the Petition of Right, to state the cause of their committal. This was alleged to be notable contempt against the king and the stirring up of sedition in the state. The judges had to decide whether the prisoners were bailable, and, feeling that they could not lawfully refuse bail, they were in the most painful straits. Charles was resolute to break the law, but afraid to say so. After some hesitation, he told the judges that none of the prisoners should be produced in court until they should make a better demonstration of their modesty and civility than hitherto. The judges submitted in silence.

At the end of the long vacation, however, the king allowed

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CHAP. VII.

the prisoners to be produced in court, and they learnt that they might have bail if they would give security for their good behaviour. Regarding their imprisonment as illegal, they declined to be bailed on such a condition, and thus left the judges again to make the hard choice between respect for the law and fear of the king. Charles chose this moment to give the judges a lesson by suspending Chief Baron Sir John Walter, who appears not to have been forward enough against the imprisoned members. The attorney-general then charged Eliot, Holles, and Valentine with a conspiracy in parliament to resist the king's orders and to encourage the people to withhold obedience. The prisoners again declined to answer out of parliament for acts done in parliament. The judges, refusing to admit this plea, condemned them to fine and imprisonment until they should acknowledge their fault and give security for good behaviour.[1] Eliot and Valentine refused to make any submission, but Holles yielded and was soon afterwards set at liberty. Of the remaining prisoners who were not brought to trial all except Strode bought their freedom by submission. Eliot remained in prison until his death in 1631, Strode and Valentine until their release before the election of a new parliament in 1640. The king thus carried his point and succeeded in imprisoning men for words spoken in parliament. Neither the Petition of Right nor any other statute, however stringent, would be of any avail so long as the judges held their places at the royal discretion.

Charles had already made known that he would not suffer any to prescribe unto him the time for calling a new parliament, which was always in his own power, and he resolved never to call another until he felt certain that it would do his pleasure.

[1] *State Trials*, iii., 294.

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CHAPTER VIII.

THE PERSONAL GOVERNMENT OF CHARLES I.

CHAP. VIII. AFTER the dissolution of 1629 eleven years passed without a parliament, the longest interval of that kind in English history. At first there was no general or grave discontent. In those days the sovereign was still the head of the government, appointed and dismissed the ministers, presided in council and despatched all the current business of state. Parliaments were occasional assemblies to pass bills and grant money, and since the accession of the house of Tudor they had met at irregular intervals. Under James I. there had been no parliament for seven years, and in ten years not a single statute had been made. Wise men might lament that King Charles had thrice quarrelled with his parliament, but they doubtless expected that time would appease his majesty's anger and bring some conjuncture which would oblige him to call for subsidies and therefore to seek the counsel of the three estates. The generality took little heed, for they found no change in the routine of their lives. Whatever might be done when personal government should have been firmly established, the king and his advisers had for the present every motive to bear lightly upon the mass of the people.

Nevertheless the separation between the king and his subjects which had been widening ever since James ascended the throne was already enough to cripple the best energies of the state. In the course on which he had resolved Charles could expect from the nation no more than acquiescence. While yet all was calm and prosperous the government was weak, and under the first sharp strain it broke down altogether. Its most apparent weakness was its poverty. Charles continued to levy tonnage and poundage, customs and impositions, by his own

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prerogative, and with the growth of commerce these became more and more fruitful. But these duties, together with the hereditary revenues, were not enough to defray the ordinary expenses without the help of direct taxation. The king's tastes were magnificent, his court one of the most splendid in Europe, the administration, if not quite so careless as under his father, far from frugal. All the shifts and contrivances to which he had recourse fell short of his requirements. As no foreign power believed that he could wage effective war, he could exert no influence abroad. The authority of England in Europe, which had been sinking throughout the reign of James I., vanished altogether and was not renewed until the time of the Commonwealth. That the government knew nothing of the mind of the governed was a more fatal weakness. Charles would not allow the nation to express its feelings through its recognised organ, the parliament, and he made full use of all the means devised by the Tudors for controlling or silencing the press. But, instead of watching public opinion like the Tudors, he seems to have thought that it did not, or should not exist. Year after year he pursued his solitary course, unaware that save a part of the clergy, scarcely an Englishman approved his policy. There is every reason to think that he was surprised and bewildered when the fierce reaction came.

After Buckingham's death Charles became his own prime minister and must be regarded as the real ruler of England. In the first years of the cessation of parliament the servant whom he trusted most was Richard Lord Weston, the treasurer, afterwards created Earl of Portland. Weston had found a patron in Buckingham and had been employed in diplomatic and financial business. He was accused of a leaning to popery and was certainly a friend of Spain. As he did not care for the protestant cause, and had to find the ways and means for war, he was steadily in favour of peace. He was parsimonious and withstood to the best of his power those who sought to enrich themselves out of the treasury, but he was not above enriching himself by means which would now be held dishonest. Cottington, the old servant of Charles who had followed him to Madrid, was chancellor of the exchequer, then a subordinate post, and he too was a catholic at heart and a

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CHAP. VIII.

friend of Spain. The two secretaries of state, Viscount Dorchester, formerly Sir Dudley Carleton, and Sir John Coke, respectable in point of character, ability, and official knowledge, were content to perform their daily work without aspiring to influence the king's policy. Wentworth, fully employed in the council of the north, took little or no part in the government of the kingdom at large. In ecclesiastical business Charles was directed by Laud, but Laud, as yet only Bishop of London, and obliged to defer in some measure to Archbishop Abbot, could not give effect to his principles so fully as in after years.

The king at length perceived that he must withdraw from his unfortunate undertakings abroad. In April, 1629, he closed his war with France by the peace of Susa. Either party silently abandoned the claim to protect any subjects of the other. As Henrietta Maria, having gained the full affection of her husband, was content with her lot, no question was raised about the articles of the marriage treaty. No territories had to be returned, for none had been conquered. Although peace was restored, friendship hardly ensued. Neither sovereign was of an open or cordial temper, and the all-powerful Richelieu could not but think meanly of the King of England. Germany lay at the feet of the emperor, and Christian of Denmark, full of bitterness against the nephew who had failed him in the hour of need, retired from a hopeless struggle and saved his kingdom by the peace of Lübeck. Thus Charles was relieved of a burdensome ally.

It remained to make peace with Philip. Philip and his ministers, well aware that Spain was perishing under the stress of so many wars, were no less desirous to come to terms. In order to prepare the ground they sent the illustrious Rubens on an informal mission to England. He reached Whitehall in May, 1629, and stayed many months negotiating with and painting for the king. Although he had no power to promise that Philip would surrender the fortresses in the Palatinate held by Spanish troops, he prevailed on Charles to send Cottington as ambassador to Madrid and to proffer the Dutch his mediation between them and the Spaniards. It was rejected by the Dutch, who were then in full career of victory. The Spanish government would not engage to effect the restoration of the Palatinate until

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CHAP. VIII.

Charles stooped to propose a league against them. On November 5, 1630, Cottington signed the treaty of peace between England and Spain, which replaced the two kingdoms in their position before the war. Somewhat later he concluded a treaty for the conquest and partition of the free Netherlands, thus binding his master to attack and enslave a protestant state, a friendly state, a state whose independence was necessary to the safety of Britain. Charles did not ratify this engagement of Cottington, nor had he the means of performance. Before long he learnt that the Spanish ambassadors at Vienna would not help his envoy Sir Robert Anstruther, and that the emperor would give no pledge regarding the Palatinate, whereupon he turned round to negotiate with the Emperor's enemies.

At last the cause of the German protestants had found a worthy chief. In June, 1630, Gustavus Adolphus, King of Sweden, crossed the Baltic, and in January, 1631, he concluded with France the treaty of Bärwalde. Charles might have recovered the Palatinate by joining at once the combination against the emperor, but he had neither resolution to adopt nor means to execute so bold a policy, and contented himself with allowing the Marquis of Hamilton to enlist volunteers for the Swedish service. In September Gustavus won the victory of Breitenfeld, which made him master of North Germany. Charles, after his disappointment at Vienna, sent Sir Henry Vane to negotiate with Gustavus respecting the Palatinate; but Gustavus had a most intricate game to play with protestant and catholic rulers, and could not afford to consider the restitution of the Palatinate to Frederick apart from the general politics of Germany. As the King of England would make no alliance with him, Gustavus would enter into no engagement with the King of England. Charles was already meditating an alliance with the emperor and the King of Spain against Gustavus and his friends. Then he veered round again and tried to win Gustavus, but Gustavus would not be caught while Charles refused to bind himself. On November 6, 1632, the great Swede fell at Lützen, in the hour of victory, and a few days later the unhappy Frederick expired. The king continued to negotiate on behalf of Frederick's son and heir Charles Lewis, always refusing to take a direct part in the war, yet always hoping that other monarchs would make sacrifices in his nephew's interest, and turning from one

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CHAP. VIII.

belligerent to another with a childish perfidy until all had learnt to despise alike his friendship and his ill-will.[1]

Although England was at peace, the debts incurred in time of war remained, and the king's revenue did not suffice for his ordinary expenditure. To impose direct taxes contrary to law, to make every Englishman feel that his property was at the discretion of the council, was a course so dangerous that the government would fain avoid it as long as possible. A means of raising money, not clearly illegal, although annoying, was found in distraint of knighthood. In a different state of society and for reasons of which gain to the revenue was only one, Edward I. had called on every freeholder having land worth £20 a year to receive knighthood or to compound for his refusal. The precedent thus made had occasionally been revived in later times for the profit of the crown. In January, 1630, the king summoned all freeholders of £40 a year or upwards to take up their knighthood. Considering the fall in the value of the precious metals and the rise in the value of land, this summons would affect a very large number of persons who had no desire for knighthood nor even any pretensions to gentility. They put off compounding as long as they could, but when the court of exchequer declared the king's demand lawful, they had to submit. In this way the government received £115,000 before Michaelmas, 1631, and considerable sums at later times.

During the first years of the suspension of parliament the tendencies of personal rule were displayed more openly at York than at Whitehall. Wentworth entered on his duties as president of the council of the north in December, 1629. He came with the fixed purpose of beating down all resistance, unlawful or lawful. Lord Eure, after surrendering his estate to feoffees to be sold for the benefit of his creditors, withstood the feoffees, although armed with an order of the court of chancery, when they attempted to take possession of his castle at Malton, and defied the sheriff of Yorkshire who attempted to enforce execution of the order. Wentworth sent for cannon from Scarborough which opened a breach in the castle walls and brought Lord Eure to surrender at discretion. But when the courts at Westminster presumed to control decisions given by the council at York,

[1] See the details in Gardiner, ch. lxx., lxxiv. and lxxx.

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Wentworth treated their prohibitions with supreme contempt. The jurisdiction of courts, he said, concerned the subject little and might be restrained or enlarged as should seem best to his majesty's wisdom. Sir David Foulis, a member of the council of the north, whom Wentworth had constrained to discharge a debt due to the crown, sought his revenge in speaking disrespectfully of the president and encouraging the Yorkshire gentry to resist the distraint of knighthood. Wentworth resolved to silence what he termed "the questioning any profit of the crown called upon by his majesty's ministers, which might enable it to subsist of itself, without being necessitated to accept of such conditions as others might vainly think to impose upon it," and for this end to make an example of Foulis. Foulis vainly tried to mitigate the king's displeasure. He was tried in the Star Chamber, fined, and committed to prison, where he remained until the meeting of the long parliament, an interval of seven years. Wentworth was named lord deputy of Ireland in January, 1632, and in 1633 he left York for Dublin, but he kept his office as president of the council of the north. CHAP. VIII.

The determination of Charles to call no more parliaments changed the relative position of the two parties in the Church. So long as parliaments met, the Calvinists, although denied free utterance in the press and the pulpit, had found protectors and spokesmen in the majority of the house of commons and could sometimes take the offensive against their enemies. Afterwards they could find a voice only in pamphlets and libels, published at a fearful risk to the authors and printers. The Anglo-catholics, under a king who was thoroughly of their persuasion and no longer restrained by parliaments, might hope to extirpate the puritans altogether. The bishops were generally on their side. The most active and laborious and the highest in the king's confidence was William Laud, bishop of London.

Laud was in his fifty-second year when Charles ascended the throne. Throughout the last reign he had approved himself one of the most zealous adherents of the Anglo-catholic school. By his teaching when May lecturer in divinity at Oxford he had incurred the ill-will of Abbot, then master of University College and vice-chancellor. But he gained the good-will of Bishop Neile, who introduced him to the king. James was moving, almost unconsciously, towards the theo-

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CHAP. VIII.

logical doctrines of the Anglo-catholics, and their political principles were his own. Laud found favour in his eyes and became successively a royal chaplain, dean of Gloucester, and bishop of St. David's. He recommended himself to Buckingham by the talent which he displayed in controversy with Fisher, a Jesuit who had shaken the favourite's mother, the Countess of Buckingham, in her allegiance to the Church of England. Heylyn terms Laud the duke's agent at court during the expedition to Madrid, and he certainly succeeded to the confidence which Williams had forfeited.[1] In this way began the long enmity between Laud and Williams. But so long as James lived, Laud could not hope for complete success. James never quite emerged from his Calvinism; he was indolent and timid, and shrewd enough to feel a certain mistrust of men governed by one overmastering purpose. When he died, Laud was recommended to Charles at first by his connexion with the favourite and afterwards by the entire accord, not of opinions only, but of character.

Never perhaps have a prelate and a sovereign been so thoroughly of one mind. Charles desired Laud to prepare a list of the most notable divines and to distinguish them by the two letters O and P (orthodox and puritan), a contrast of epithets enough to show which party was marked for proscription and which for preferment.[2] When the first parliament of the reign attacked Montagu, Laud was one of three bishops who addressed a letter to the archbishop in his behalf. At the coronation he filled the place of dean of Westminster, that preferment being then held by Bishop Williams, who was still in disgrace. In the following year he exchanged his poor and remote diocese for that of Bath and Wells, and soon afterwards was named dean of the chapel royal, a post which brought him into the king's familiarity. In 1627 he was sworn of the privy council. When Abbot fell under the king's displeasure, Laud was one of the five bishops entrusted with his jurisdiction. From that time his activity was felt throughout the Church. In 1628 the house of commons censured him by name along with his friend Neile, and the king promoted him to the see of London. Although Abbot was soon afterwards allowed to

[1] Heylyn, *Life of Laud*, p. 113. [2] *Ibid.*, p. 133.

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resume his jurisdiction, Laud with the king's favour remained far more powerful in the general administration of the Church than his superior, old, indolent and deeply discouraged

CHAP. VIII.

Laud had the qualities of a great administrator, industry, method, perseverance, the instinct of order and the passion for detail. In the qualities of a statesman he was singularly defective. As the principle of intolerance was then generally accepted, we must not too severely blame Laud for accepting it also. But even in a persecuting time, some men, whether through laziness, or a scepticism wiser than their creed, or a naturally sweet disposition, are less intolerant than their fellows. Laud had none of these temperaments. He was more severe, indeed, against outward nonconformity than against speculative error. He could show forbearance towards the learned recluse whose daring thoughts were not likely to reach, still less to move the public. But he regarded the endless controversies about free-will, grace, and predestination as barren and mischievous, and he tried to suppress them, forgetful that, if they served no other end, they at least satisfied some craving in the disputants. Enforcing the letter of the law as he construed it, he required exact observance of a ritual which offended many persons as religious as himself. Of widespread usage many years old he took no more account than of individual caprice. At the same time he denied the other party in the Church every means of expressing or justifying their opinions. Like the king, he was so devoid of imagination that he did not know when he was driving men to fury.

As it would need the whole power of the state to enforce this discipline in the Church, Laud, who regarded public affairs purely as an ecclesiastic, taught the highest doctrine of prerogative and abetted Charles in every encroachment on liberty and every defiance of opinion. Whatever ill-will might be aroused by his political and theological principles he was not likely to mitigate by his personal character. For, with many of the virtues which adorn his profession, he was hard, aggressive, and imperious. Even the friendly Hyde confesses that his temper was hot, his manners rough and overbearing. He held the highest views of the dignity of his own order, save when any of them ventured to withstand his measures, and then no man could be more blunt and peremptory. Had he been con-

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CHAP. VIII.

tent to secure Church property against fraud and usurpation, to watch over the fabric of the churches, to war against mere sloth, irreverence, and dishonest neglect of duty and by teaching and example to further that form of worship which he deemed most orthodox, he might still have met with opposition, but it would hardly have been dangerous. By the course which he actually took, he ruined his cause for a time and the old system of spiritual coercion for ever.[1]

Laud's own diocese was full of what he most abhorred, for the citizens of London were generally puritan. In pursuit of uniformity he at once attacked the lecturers, clergymen whom individuals or corporations engaged simply to preach. The lecturers were often chosen for their puritan opinions, and, as they had no cure of souls and were not legally bound to read the Prayer Book, they could not be forced to conform like the parson of a parish. The laymen who employed them might dismiss them at pleasure. On both grounds the lecturers were odious to the bishop, who persuaded the king to issue instructions forbidding any lecturer to be appointed in a corporate town unless he were ready to accept a living with cure of souls, in other words, to use the Prayer Book. Afternoon sermons were to cease and the time thus saved was to be spent in catechising. Controversial topics were once more prohibited. None save noblemen and men qualified by law were to have private chaplains in their houses. Even the admiring Heylyn observes that this last regulation was construed in a way that went beyond the law.[2]

At the same time severe examples were made of those who assailed the government of the Church. The puritans had a full share of the unreason, the rancour, and the savage scurrility which were then too frequent in theological debate, and their temper was not improved by a repression which every day grew more severe. Alexander Leighton, a Scot with all the Scottish hatred of bishops, had composed in 1628 a furious tirade entitled *An Appeal to Parliament, or Sion's Plea against*

[1] The character and opinions of Laud are most fully shown in his *Works*, 6 vols., Oxford, 1847, especially in the Diary, the Sermons and the Conference with Fisher. See also Heylyn's *Life of Laud* and a passage in Clarendon's *Life*, part i.

[2] Heylyn, *Life of Laud*, pp. 198-202.

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Prelacy. Begun as a petition, it was enlarged into a treatise and printed in Holland for greater assurance. It denounced the bishops in good set terms of which "trumpery of Antichrist" was among the gentlest; and, mixing politics with religion, styled Buckingham a great Goliath, blamed the king's marriage with a papist, and called on parliament to rid him of bad advisers and the kingdom of prelates. It passed from hand to hand for some time before it became known to Laud, but in February, 1630, Leighton was arrested. He was tried in the Star Chamber, where he had the less chance of mercy as some of his judges had been subjects of his railing. The court sentenced Leighton to pay a fine of £10,000, to be pilloried at Westminster, and then to be whipped and have an ear cut off, and at some future time to undergo the like punishment in Cheapside, after which he was to be imprisoned for life. Leighton endured his punishment at Westminster with a fortitude which even now moves compassion. He was spared the repetition of his sufferings at Cheapside, but was left in jail until the assembling of the long parliament.

Henry Sherfield, recorder of Salisbury, a puritan of the ordinary type, took offence at a figure in one of the stained windows of his parish church which represented the First Person of the Trinity.[1] He obtained an order from the vestry to remove the picture and replace it with white glass. Then the bishop of Salisbury interposed and forbade the churchwardens to execute this order. Some time afterwards Sherfield, whose anger had been aroused by painted windows elsewhere, took the law into his own hands, entered the church when it was empty, locked the door, and shattered the idolatrous window with a stick. At the present day such an offence would be summarily corrected by a police magistrate. Under Charles it furnished forth matter for a state trial. Noy, who had lately left the popular party for the king, and had been rewarded with the office of attorney-general, prosecuted Sherfield before the Star Chamber. After some debate the court sentenced Sherfield to pay a fine of £500 and to make a public acknowledgment of his fault. Laud pressed the charge home in a remarkable speech. He did not think it lawful to make the picture of God the Father,

[1] Laud, *Works*, vi., 13; Heylyn, *Life of Laud*, p. 229.

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CHAP. VIII.

but he thought it well to punish with the utmost rigour all who disobeyed the injunction of a bishop. The king ordered that the window should be repaired with white glass such as the vestry had desired.

In the same year Laud assailed the feoffees for impropriations. Certain citizens, lawyers, and clergymen of London had established a fund for the purpose of buying up impropriate tithes, which were then used to augment the stipends of ministers, lecturers, and schoolmasters. The object might seem pious, but those who established the fund were puritans and bestowed their bounty upon clergymen who shared their opinions. These additions to clerical income were also revocable. Anything which gave laymen control over the clergy and still more anything which encouraged puritan clergymen was in Laud's sight pernicious. He caused the attorney-general Noy to exhibit an information in the exchequer chamber against the feoffees on the ground that without the king's sanction they had formed themselves into a body for holding property. Judgment was given against the feoffees and their patronage was transferred to the king.[1]

In Scotland Charles pursued the aims of his father, the establishment of an absolute monarchy and the reduction of the Kirk to perfect conformity with the Church of England. As he had been taken away when only three years old and had never revisited Scotland, he lacked any knowledge of the country or sympathy with the people to temper his rashness. In the first year of his reign he ventured upon the famous act of revocation which merely by the royal authority annulled all grants by the crown and all alienations to the prejudice of the crown since Queen Mary's accession. Acts of revocation had been issued in the past, but their scope had usually been limited to a royal minority. The act of Charles revoked transactions more than eighty years old, which, however questionable in themselves, might have been thought valid by prescription. The amount of property which had been acquired from the crown during so long a period marked by so many disorders was enormous. The discontent among the nobility was such that the king thought well to treat with the holders of the

[1] Heylyn, *Life of Laud*, pp. 209-212.

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lands in question and to let them compound for quiet enjoyment. What the crown gained by the act of revocation when this settlement had been effected was a certain money revenue and the acknowledgment of its feudal rights over lands which had hitherto been free because they originally belonged to the Church. What the crown lost by the act of revocation was the support formerly lent to it by the nobility against the ministers and the middle and lower classes. The nobility changed sides, and when Charles had carried his ecclesiastical policy somewhat further, he met with the resistance of nearly the whole Scotch nation.[1] CHAP. VIII.

The king's marriage to a Roman catholic and the extraordinary favour which he showed the prelates had already alarmed the Scots for their religion when he came in the summer of 1633 to receive his crown and to hold a parliament. At the coronation which took place on June 18 the vestments, the ornaments, and the ceremonies were such as to redouble their fears. The parliament which met two days afterwards accepted, but not without murmurs, all that was laid before it on behalf of the king. It confirmed the act of revocation, and all the acts of James touching religion, especially an act of 1609 which enabled the king to determine the apparel of the clergy. The king himself was present at the debates to overawe opponents and note the names of those who voted contrary to his wishes. Those who had resisted his measures drew up a paper which, under the modest form of a supplication, condemned all changes in the Church made without the approval of a general assembly, and dwelt on the hindrances to any real debate in parliament. The supplication was never presented, but a copy came into the hands of Archbishop Spottiswoode, who sent it to the king. Charles in his anger resolved to make an example. One of the opposition nobles, Lord Balmerino, who had shown a copy of the supplication to his notary, was tried for "leasing-making," that is, for stirring up enmity between the king and his people by false reports. The jury condemned Balmerino by a majority of one, but even Laud interceded for him and his life was spared, although he was kept in prison. None presumed any longer

[1] See Burton, *History of Scotland*, vi., 355-368.

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CHAP. VIII.

to remonstrate with the king, who took his own way to his destruction.

Uniformity of public worship in the Church of Scotland and the Church of England had been a project of his father. The general assembly held at Aberdeen in 1616 had ordered the compilation of a new Prayer Book to replace Knox's *Book of Common Order*. As James soon afterwards promised the Scotch parliament that there should be no more innovations in religion, the draft was laid aside until Charles called for it in 1629. Dr. Maxwell, who brought it from Edinburgh, was ordered to lay it before Laud. Laud disliked it, as retaining too much of the *Book of Common Order*, and suggested that the adoption of the English Prayer Book in Scotland would be the best and simplest course. Maxwell, who knew his countrymen, replied that the Scots would be loath to have the English liturgy put upon them, but Laud was not convinced, and Charles agreed with Laud. When Charles visited Scotland he brought Laud in his train, and both were still resolved to introduce the English service. The unhappy Scottish bishops were in a painful predicament. They could ill withstand the king, whose favour was the only prop of their authority, and yet they felt the danger of affronting at once the pride and the religion of Scotsmen. By raising objections of detail they persuaded the king to let them draw up "a liturgy as near that of England as might be". Thus the fatal hour was postponed and Charles left Scotland.[1]

From this time onward the king's system of government seemed to receive a new impulse. Immediately after his return to England Archbishop Abbot died, and on August 6 Laud succeeded to the chair of Canterbury. Almost at the same moment a person unknown offered him a cardinal's hat if he would acknowledge the papal authority. "Something dwells within me," said Laud, "which will not suffer me to accept that until Rome be other than it is."[2] The reply was perfectly sincere, but the offer shows how Laud's policy was construed by Romanists as well as by puritans. Armed with the authority

[1] See Laud's account of the matter, *Works*, iii., 427; and compare Clarendon, *History*, i., 172-81.

[2] Heylyn, *Life of Laud*, pp. 252-53.

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CHAP. VIII.

of primate and reinforced by the whole power of the crown, he was at length free to reform the Church on Anglo-catholic principles. He stood so high in the king's favour, not merely as a Churchman but as a councillor in secular business, that on the death of Viscount Dorchester, a year before, he had procured the appointment of his friend Sir Francis Windebank as secretary. As he loved power and did not fear responsibility, he made full use of his influence in council, and the part which he took in government must be weighed whether we would understand the hatred which he inspired or judge his real ability and character. A few days before Laud became archbishop the Lord Deputy Wentworth arrived in Dublin to take up the duties of his place and begin a memorable chapter in Irish history. The two men had long been friends, and even now they found time for a correspondence which is the chief source of knowledge regarding their political aims and methods. They were in perfect harmony with each other and the system which they justly named "Thorough" was common to both. They wished by economy, by administrative reform, by the severe repression of all criticism or censure, however respectful, to render the sovereign independent of all control. They needed not to persuade Charles of the excellence of their system, but they could not wind him up to their own untiring energy in its execution.[1]

So long as the king was in want of money he might always be reduced to call a parliament. For the continuance of personal government it was vital to increase the revenue, and in 1634 the state of foreign affairs suggested to Charles the most famous and disastrous of all his financial experiments. The Dutch had been so steadily victorious that they appeared likely to expel the Spaniards from the Netherlands altogether, and Richelieu was seeking to conclude a treaty with them for the conquest and partition of the Spanish provinces. As the Dutch were the first naval power in Europe and the French were beginning to form a navy, the fate of these provinces was a matter of concern to England. It might well be thought our interest that they should be kept by a distant and embarrassed ruler like the King of Spain rather than be transferred to our neigh-

[1] See *Strafford Letters*, *passim*

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CHAP. VIII.

bours and rivals. At this time also Charles, in his quest for the Palatinate, was again veering towards an alliance with Philip. He proposed to send out a powerful fleet which should maintain the peace of the sea and keep open the coast of Flanders if Philip would contribute to the expense. Philip, who had little money and less trust in Charles, replied warily to these advances, but Charles persevered with his scheme for making a display of naval force, and found a pretext in the unceasing ravages of pirates both Moslem and Christian. To defray the cost Attorney-General Noy proposed a levy of ship-money. It had long been the practice of English kings in time of war to demand from the maritime counties ships and crews and their equipment, and where it was more convenient, to take money in lieu of ships. The demand of ship-money in time of peace was unprecedented, but Charles obtained from the Lord-Keeper Coventry an opinion that it was legal.[1] About the same time he dismissed Sir Robert Heath, chief justice of the common pleas, and in default of any other reason it has been suggested that he wished to silence a contrary opinion. This seems the more probable as Heath was succeeded by Sir John Finch, speaker in the last house of commons, who was certain to give any opinion that might be required.

The first writ of ship-money was issued in October, 1634. Since the king did not care to publish the negotiation with Philip, it merely alleged the danger from pirates and the need of asserting English dominion over the seas. It required the maritime towns to furnish ships larger than could be found in any port save London, but allowed them to compound in money. Complaints were heard, but they did not touch the principle of the writ. The citizens of London pleaded the liberties of their own city, while other towns alleged that they had been rated too high in proportion. Even these objections were not maintained and the whole sum, £104,000, was collected without resistance. In January, 1635, Charles learnt that the French had concluded with the Dutch the treaty for the partition of the Spanish Netherlands, and in April he secured a copy, showing that Dunkirk, Ostend, and Bruges were to be given to France. This knowledge made him all the more desirous to

[1] *Clarendon State Papers*, i., 94.

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give proof of his power. In May the Earl of Lindsey put to sea with a fleet which was large and imposing, if not very fit for action, and with orders to compel the vessels of all nations to acknowledge the English sovereignty of the seas, a vain punctilio of English rulers, which Selden justified against the Dutch publicist Grotius in a learned treatise, the *Mare Clausum*. Lindsey cruised up and down the channel until October. The French and Dutch men-of-war kept out of his way, and foreign merchantmen dipped their flags and lowered their mainsails when bidden. As it was part of the sovereignty of the seas to keep them open to friendly powers, Lindsey convoyed some Spanish ships into the Flemish ports despite the Dutch blockade. One Dutch man-of-war was taken in reprisal for some infringements of English neutrality. These naval honours and a tempting precedent in taxation were the whole result of the first writ of ship-money.

Another means of raising money was found in the enlargement of the royal forests. A royal forest in the legal sense was a tract of land whether wooded or not and whether belonging wholly to the crown or not, over which the crown could enforce a special law, the forest law, by means of special courts, the forest courts. Although the cruelty of the forest law and the abuses of the forest courts had been restrained by the charter of the forests, they were still so oppressive that it was most desirable to live beyond their range. The bounds of the royal forests had been fixed by a perambulation made in the reign of Edward I., after he had confirmed the charters, and this perambulation had been treated as final for upwards of three hundred years. By a gross outrage on all the principles which make property secure and guard the law from becoming the means of the worst iniquity, it was resolved to set aside the results of the perambulation made under Edward I. and to enforce every claim of the crown, however remote its date, for which the least scrap of evidence could be discovered. This method was applied first to the Forest of Dean, and in the course of the three following years to the other royal forests. The proceeding was unpopular and the evidence so imperfect that the jury sometimes was not allowed to see it; yet by persistent bullying, in which Finch was

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CHAP. VIII.

peculiarly active, verdicts were obtained for the crown. Seventeen villages were added to the Forest of Dean; Rockingham Forest, which had been six miles in compass, was enlarged to sixty; Waltham Forest was made to cover all Essex south of the road from Colchester to Bishop Stortford, or more than half the county. These results were turned to profit in two ways. Those who were found to have encroached on the forests were heavily fined, and those who were newly brought under the forest jurisdiction were allowed to compound for the disforesting of their lands. As the fines were in great part remitted, the king's gains were petty after all. In two years and a half the new perambulation of the forests brought into the exchequer £23,000.[1] For this miserable sum the king had disquieted a crowd of landowners and had discredited his own justice and honesty.

The Lord Treasurer Portland had enemies in the council, especially the archbishop and the lord keeper, who strove to lay bare his contrivances for enriching himself and his friends at his master's charge. Before they could dislodge him from the king's favour, Portland fell grievously sick and in March, 1635, he died. On his deathbed he acknowledged himself a member of the Church of Rome. The treasury was then put into commission and among the commissioners was Archbishop Laud. The king embraced every opportunity of showing his goodwill to the clergy, while the indefatigable archbishop was ready to accept any office which would enable him to serve the king and raise the consideration of his own order. He was above fear or corruption, entirely honest and strictly frugal; qualities then rare in public life. But here his praise as a minister must end. He knew nothing of finance, and in his eagerness to render the king independent of a house of commons, he grasped at every means of filling the treasury which he did not deem sinful, however dubious in point of law or however vexatious to the subject. Next to him the most powerful of the commissioners was the chancellor of the exchequer, Cottington, a very different person, an experienced official and an adroit man of the world, who was guided by an instinct of prudence that would rather make friends than enemies.[2]

[1] Gardiner gives this figure as the result of his examination of the records. *History*, ch. lxxxiv.

[2] *Autobiography of Sir John Bramston* (Camden Society), p. 66.

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CHAP. VIII.

Laud and Cottington were presently at variance on a dispute arising out of the monopoly of soap. The act of 1624 forbidding the creation of monopolies had been evaded on the pretext that it applied only to monopolies created in favour of individuals, and monopolies had been freely granted to corporations, always on the alleged ground of the public good and with more or less of substantial profit to the treasury. In the reign of James a patent had been granted to certain persons who made soap by a new process. In 1632 Charles created a company to buy up the patent and gave it power to test the soap made by any other manufacturers; the company in turn binding itself to make 5,000 tons of soap every year and to pay into the exchequer £4 for every ton sold. Quarrels ensued, the other makers protesting that their soap excelled the company's, and, to end the high debate, two parcels of dirty clothes were washed with the soap of the company and the soap of the independent makers respectively, in presence of the lord mayor of London, the lieutenant of the Tower, and other worshipful persons, who pronounced the company's soap more effective. The privy council wrote to the justices of the peace throughout the kingdom recommending the privileged soap. Then the independent makers offered to pay £8 for every ton sold if they might be incorporated and take the company's place. The archbishop held that their offer should be accepted. Cottington held the king bound in honour to the existing company. The company at length promised to increase its payments and retained its privilege. A commodity never used in excess was thus made more costly to the public.

A second writ of ship-money was issued on August 4, 1635. England was still at peace, yet the tax was extended to the whole kingdom and the sum demanded was £208,000, twice as great as in the previous year. In each county the sheriffs and justices were to assess the tax on personal as well as real property, a task most unpopular and hard to be performed at such short notice. In some places their subordinates refused to carry out the assessments. The public murmurs became so audible that Charles commanded Finch to take the opinion of the judges respecting his right to ship-money. Ten of the twelve gave a written answer that where the kingdom was in danger, whereof his majesty was the only judge, the

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CHAP. VIII.

charge ought to be borne by the kingdom in general.[1] One judge, Croke, expressed himself more guardedly and another, Hutton, did not sign the opinion. As everybody knew that the kingdom was not in danger, this declaration carried little weight. Richard Chambers, the merchant who had braved the king's displeasure in 1628 by refusing to pay duties not authorised by parliament, tried to get a decision of the king's bench as to whether he must pay ship-money, but the judges would not allow the question to be argued. Most of the money was collected by March, 1636, and in April a great fleet put to sea under the Earl of Northumberland as admiral. Although he sailed up and down the narrow seas all the summer, he had to be content with forcing the king's licence to fish upon the Dutch herring boats, a bravado highly resented by the Dutch government. The sovereignty of the seas having been thus vindicated, he returned to port and struck his flag in August.

While the treasury remained in commission, Cottington had hopes of that great office. But his enemy Laud, who was supported by Wentworth, had gained fresh influence over the king by enforcing a thorough examination of the finances and sharp measures for remedying the deficit. New monopolies of articles in common use were created, and the impositions were augmented to the amount of £70,000 a year. Charles who could not look beyond the present gain to the future peril, was confirmed in his liking for clerical ministers and took for treasurer Laud's friend William Juxon, bishop of London. Juxon was an honest and amiable man, who kept an excellent pack of hounds, but he had neither foresight nor energy sufficient to stay the king on his dangerous path. Laud was deeply gratified at his friend's promotion. "Now," he wrote, "if the Church will not hold up themselves under God, I can do no more." He did not pause to think how dislike for the clergy would be sharpened by competition for great secular offices which laymen had learnt to regard as their own.[2]

In October, 1636, a third writ of ship-money appeared. Even the dullest then saw that a permanent and general tax had been imposed by the will of the sovereign. Although the

[1] *Autobiography of Sir John Bramston*, p. 66.
[2] Laud, *Diary*, March 6, 1635.

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CHAP. VIII.

proceeds were still spent on the navy, there could be no assurance that this would always be so, or that ship-money would not become what Clarendon terms "a spring and magazine that should have no bottom, and an everlasting supply for all occasions".[1] The pretext of a danger too immediate to allow of application to parliament was so transparent as to be insulting. The murmur of resistance grew deep and formidable. Among the nobles who surrounded the king many called for a new parliament. A protestation to that effect was actually drawn up, but not presented, and the king, though still resolved not to summon parliament, tried to silence complaint by laying a case before the judges, and taking their opinion anew. The answer which he wanted was given this time by all the judges, but Croke and Hutton signed it only on the principle that they were bound to follow the majority. It was solemnly read out by the lord keeper in the Star Chamber and by the judges on their circuits, with considerable effect.[2] The collection of ship-money went on briskly. In June, 1637, Northumberland again put to sea, but achieved even less than before, for the main Dutch fishing fleet was guarded by their own admiral, who would not allow Northumberland's messenger to hail the fishermen. A small squadron sent against the corsairs of Sallee did some real work, and brought about the deliverance of nearly three hundred captives.

Two private men undertook to make the only possible protest against ship-money by refusing at all hazards to pay, and thus compelling the case to be argued in a court of law. Lord Saye, the stoutest puritan among the peers, was one, and the other was a wealthy squire of Buckinghamshire, John Hampden. Hampden had been assessed at 20s. only, but his case was chosen as the test, and was argued before the twelve judges in the exchequer chamber. His counsel, Holborne and St. John, discharged their perilous task with great skill. St. John did not press the distinction between maritime and inland counties or deny that the king was to judge of the public danger, but maintained that only in parliament could he impose

[1] Clarendon, *History*, i., 148.

[2] *State Papers*, Domestic, ccclxvi., 11, 14; Rushworth, ii., 355; *Autobiography of Sir John Bramston*, p. 68.

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CHAP. VIII.

a tax to meet it. Holborne denied that the king was judge even of the danger, unless it were so instant that he could not call parliament. The attorney-general, Bankes, asserted that the king had the absolute and inherent right of deciding as to the degree of danger. The judges, after hearing the arguments, gave their decision two by two and at considerable intervals of time. They differed more than could have been expected from men who had twice given a nearly unanimous opinion on the point in issue. Some spoke the language of the purest absolutism. Crawley declared that the king's prerogative enabled him to impose taxes without the consent of parliament. Finch asserted that acts of parliament to take away the king's power in defence of his kingdom were void: "No act of parliament makes any difference." Berkeley came to much the same conclusion: "The law is of itself an old and trusty servant of the king's; it is his instrument or means which he useth to govern his people by. I never read nor heard that *lex* was *rex*; but it is common and most true that *rex* is *lex*, for he is *lex loquens*, a living, a speaking, an acting law." But the judges who had hesitated before now spoke out unfalteringly. Croke said that it was contrary to law to lay any charge on the subject save in parliament; as the king could press every ship and every man in defence of the realm, it was idle to claim further powers of meeting an emergency. Denham and Hutton agreed with Croke on the question of principle, and two other judges decided for Hampden on technical grounds.[1] In a body of men whose interests and prejudices were all on the side of prerogative, the smallest possible majority, seven to five, were for the crown. Yet the king acted as though he had been altogether successful, and pressed the collection of ship-money as though its legality could no longer be doubted.

[1] *State Trials*, iii., 825.

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CHAPTER IX.

THE PERSONAL GOVERNMENT OF CHARLES I. (*Continued*).

BEFORE all the judges had given their decisions in Hampden's case the revolution which was to overthrow personal government had begun in Scotland. But the effect of the Scotch outbreak upon English opinion was largely due to the course which had been taken in the affairs of the Church since Laud became primate. From the first he acted with the utmost energy. He obtained a royal letter requiring the bishops to observe the canon which bade them ordain only such persons as could show that they were about to undertake the cure of souls. In this way he hoped to cut off the supply of lecturers and chaplains at the source. He bestirred himself to enforce the use of the Prayer Book in the little colonies of English merchants abroad, and even in the English regiments employed and paid by the States-General. He restored the painted windows in the chapel at Lambeth, and removed the communion-table to the east end. A like change in the church of St. Gregory in the city of London had induced five of the parishioners to appeal to the court of arches. As Sir Henry Martin, the dean of arches, was known to favour their appeal, the king interfered and summoned him and the petitioners and the dean and chapter of St. Paul's, who had ordered the change, to argue the question before him in council. The king decided in favour of the dean and chapter. Thus the point most bitterly contested between the Anglo-catholics and the puritans, because the difference of form symbolised a difference of doctrine, was decided by the head of the Church in Laud's sense, and Laud was certain to make full use of such a victory.

The puritans of Somerset and certain other western counties

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CHAP. IX.

took offence at the popular feasts known as wakes, partly because they were held on Sundays, partly because they sometimes ended in excess and riot. Chief Justice Richardson, when going circuit there, repeated an old prohibition of the wakes and ordered the clergy to publish it in the churches. The archbishop resented this order as a usurpation, and the king commanded the chief justice to revoke it. Richardson was so slow to obey that he was summoned before the council, where Laud reprimanded him with a roughness which caused Richardson to say, on coming out, that he had been choked with a pair of lawn sleeves. He was forbidden the western circuit for the future.[1] This incident led the king to order that his father's "Declaration of Sports" should be republished and read from every pulpit in the kingdom. A number of puritan clergymen refused to obey and were suspended or deprived. Upon the question of principle Charles and Laud may have been wiser than the puritans, but their procedure even here was harsh and despotic.

Like many other ascetic Christians, the puritans felt an abhorrence for the theatre. It is possible that the puritan movement by withdrawing serious people from the theatre contributed to the spread of that grossness which disfigures so many of the dramas written under James and Charles. The lewdness of the stage in turn embittered puritan censure, which at length broke out in Prynne's famous, but unread treatise, *Histriomastix: A Scourge of Stage Players*. William Prynne, a barrister of Lincoln's Inn, a man of immense reading, narrow notions, and a most polemical temper, had already distinguished himself by a series of fierce pamphlets against the Anglo-catholics. With equal erudition and still more furious invective he assailed the theatre. Plays were mere incentives to sin, actors and actresses (then for the first time introduced from France) were infamous agents of corruption, and even the spectators were highly culpable. Frantic as this language now sounds, it was not more violent than the language of celebrated writers in the primitive Church, and the *Histriomastix* was licensed without demur by Abbot's chaplain in 1632. But certain expressions in it were alleged to reflect

[1] See Heylyn, *Life of Laud*, pp. 256-57; Laud's *Works*, iv., 133.

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upon the queen, who sometimes took part in court theatricals, and on the king who was a frequent spectator of the play. The author was prosecuted in the Star Chamber. The archbishop made a speech aggravating the offence and declared that he held him guilty of high treason under a statute of Edward III.[1] Prynne was sentenced to be imprisoned for life, to pay a fine of £5,000, to be expelled from Lincoln's Inn and to be disbarred, to be deprived of his academic degree, to be set in the pillory and to have both his ears cut off. The sentence was carried out, although the mutilation was so far imperfect that the like torture was inflicted upon him at a later period. Prynne, with many faults, was a man of conviction and of dauntless courage. He was not crushed by his inhuman sentence; unfortunately when the time of retribution came, his virtue was not equal to forgiveness. CHAP. IX.

In order to reform all that he considered amiss in the province of Canterbury, the archbishop revived an ancient usage and instituted a metropolitical visitation. Claims to exemption made by various parties, such as the bishop of Lincoln and the university of Cambridge, were overruled and the visitation was carried into every corner of the province. It lasted from 1634 to 1637. The articles drawn up to guide its execution prove it to have been comprehensive.[2] Careful inquiry was made into the administration of ecclesiastical property, the state of the fabrics of the churches, and the provision of church plate and furniture. The character and the orthodoxy of the clergy, the manner in which they celebrated divine worship and the performance of moral and religious duties by the parishioners were all passed in review. It was to be noted whether the communion-table was in its proper place and treated with becoming reverence, whether the forms of prayer in the Prayer Book were exactly followed in the services, whether the sign of the cross was used in baptism, and whether any of the parishioners denied the king's supremacy, or questioned the lawfulness of episcopal government, or impugned the ceremonies of the Church or frequented private conventicles. The visitation prepared the way

[1] Laud's *Works*, vi., 234.

[2] *Ibid.*, vol. v.; see also the correspondence between him and Williams, vol. vi.

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CHAP. IX.

for a stricter and more general enforcement of conformity. Order was given that the communion-table should everywhere be removed to the east end and railed in. The wearing of the surplice and the observance of the disputed ceremonies were enforced. Here and there ministers or congregations resisted for a while, but in the end the archbishop and his brethren had their way. Even the members of the foreign churches established by French and Dutch refugees in the age of Elizabeth, who hitherto had been allowed to worship in their own tongue and in their own fashion, were compelled, if born in England, to attend the parochial services.[1]

Driven to despair, the more rigid puritans began to emigrate. Whatever their beliefs, the men who will sacrifice home and country for conscience' sake are the salt of the earth. Puritanism was most general in those parts of England where the middle and artisan classes were most vigorous, and the king and archbishop, like other ill-advised rulers before and after, were expelling a crowd of those thoughtful, laborious citizens who are the only sure support of national greatness and prosperity. The council tried all remedies save the effectual one; forbade emigration, then allowed it and forbade it again. In 1634 the king bestowed on a commission, with Laud as its chief, vast and ill-defined power over the colonies, especially power to establish there the same ecclesiastical constitution as in England. But the immense distance and the resolute bearing of the people of Massachusetts hindered the commission from achieving any result, and the flow of emigrants from England continued.

Nor could the most rigorous repression stay the flow of pamphlets and libels directed against the rulers of the Church at home. Prynne, who had already suffered so much, continued in his prison to write against the bishops. Henry Burton, a clergyman, published two sermons against the ceremonies which he entitled *For God and the King*. John Bastwick, a physician, wrote against the bishops pamphlets each fiercer than the last till they culminated in *The Litany of John Bastwick*. All three writers were tried for libel before the Star Chamber in June, 1637. Each was sentenced to pay a fine of £5,000, to stand

[1] For Laud's views on this subject, see a paper, *Works*, vi., 22,

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in the pillory, to lose his ears, and then to be imprisoned for life in the remote castles of Carnarvon, Lancaster, and Launceston. On Finch's motion Prynne was further sentenced to be branded on the cheeks with the letters S. L.[1] When the sentence was put in execution, the crowd openly testified its sympathy. Prynne on his way to Lancaster received many testimonies of kindness. Although debarred from pen and ink the three prisoners found means to communicate with their friends and were therefore sent to prisons more distant still, Prynne to Mont Orgueil in Jersey, Burton to Cornet Castle in Guernsey, and Bastwick to a fort on one of the Scilly Isles. Still more cruel was the punishment awarded to John Lilburne, whose youth, for he was only twenty years of age, might have pleaded in his favour. He was accused before the Star Chamber of having printed puritan books in Holland. When required, as was the practice in that court, to swear that he would answer all questions truly, he declined, alleging that he was not bound to answer any question of which he did not know the import. For this contempt he was flogged and pilloried, and then placed in most rigorous durance in the Fleet prison, where he would have died of hunger had not his fellow-prisoners given him of their scanty food. To cut off the evil at the source, the Star Chamber ordinances regulating the press were made still more severe. The number of printers in London was reduced to twenty, and any other person printing a book was to be pilloried and whipped.

It is difficult for those who live in an age of freedom to measure the irritation caused by an ecclesiastical policy such as we have described. In the first half of the seventeenth century the theological passions stirred by the reformation were still full of life. Although a few highly cultivated men had entered into possession of the larger intellectual world discovered at the revival of letters, the bulk of the nation had no interest outside their own petty personal concerns except that of religion, no literature other than the Bible and religious books, no chance of hearing moral or philosophical discussion save in sermons. Thus the whole energy of earnest minds was concentrated on theological problems. At the same time the public had no

[1] Seditious Libeller.

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CHAP. IX.

choice how they would worship, or what doctrine they would hear. If the received ceremonies satisfied their religious emotion, if the sermon agreed with their religious belief, it was well; but if not, they could decline neither. Nothing could be more exasperating than Sunday after Sunday to behold against their will rites which they deemed idolatrous, and listen to doctrines which they deemed foolish or blasphemous. The minute and rigorous enforcement of the Laudian system wrought up the whole puritan population to a sullen rage which, on the first favourable occasion, must break out with terrible consequences. That Laud should have divined nothing of this resentment, but should have thought that men were convinced because it was too dangerous to protest, is a remarkable proof of his want of imagination.[1]

As if to crown the success of the archbishop, his old adversary the bishop of Lincoln at this time was finally disgraced. In late years Williams had given fresh proofs of his statesman-like temper. Remote as he was in character and opinions from the puritans, he was loth to press them hard and advised a middle course in the chief controversy of the day, as to the position of the communion-table. For a long time he had lain under a charge of revealing some secrets of the privy council. By his efforts to clear the character of one of the witnesses on his behalf which had been impugned, he exposed himself to another charge of subornation of perjury. The king hesitated whether to compound with Williams for money or to leave him to the rigour of the law. At last Williams was condemned by the Star Chamber to suspension, fine, and imprisonment during the king's pleasure. He had aggravated his offence by a pamphlet entitled *The Holy Table, Name and Thing*, recommending the compromise of the dispute, and he was left in prison for a considerable time.

The relations of the king with the Roman catholics during these years were of moment, not in themselves, but because of their effect on public opinion.[2] Charles, who was fully satisfied

[1] Laud's Annual Accounts of his Province presented to the King, *Works*, v., show how little he understood the state of public opinion.

[2] The relations of Charles and his queen with Rome were for the first time accurately traced by Gardiner. His chief authorities were the despatches of Panzani and Conn in the Record Office transcripts from the Vatican papers and in the Additional MSS. in the British Museum.

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CHAP. IX.

with his own religious beliefs, and set the utmost store by his authority as head of the Church of England, had no thought of joining the Church of Rome. But he felt no very bitter hatred of Romanism; he was the fond husband of a catholic wife, and he was perversely addicted to showing his contempt for the antipathy with which the vulgar regarded everything Roman. Pope Urban VIII. took advantage of these circumstances to obtain a measure of toleration for the English catholics. Catholic landowners were mulcted no longer in two-thirds but only in one-third of their annual revenue, poor catholics gained relief from the recusancy fines, and priests might celebrate mass in private without running any serious danger. The pope may have hoped for more, for the conversion of many Englishmen, even of the king and archbishop. But the catholics were agitated by the inveterate feud between the regular and secular clergy. Before the death of King James the seculars had induced the pope to appoint a bishop over the English catholics. The Jesuits immediately began a campaign against his authority, and at length procured his withdrawal. In order to compose these disputes the pope sent over an Oratorian named Gregorio Panzani at the end of 1634. He was also directed to work with the queen's help for still better usage of the English catholics, and learnt that the king would communicate with him through Secretary Windebank.

Panzani found that various great men were catholics at heart, and that others, including the secretary, were possessed with the fancy of a reunion of the Churches to be effected at little or no cost to the Anglicans. He was careful to play upon their illusions, and was himself so far deceived as to think that England might be brought to a reconciliation with Rome on the Roman terms. He had no power to yield a jot. The king hoped that Rome might allow the English catholics to take an oath of allegiance modified to suit their religious scruples, but on this point Rome would make no advances. The queen gave Panzani help and encouragement. Her chapel at Somerset House, which stood open to all catholics, was crowded with persons of quality, and she actually presumed to take her son to the mass. It was resolved that the queen should be represented by an agent at the court of Rome, and that the pope should be represented by an agent with the

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CHAP. IX.

queen. Urban selected a Scot named Conn for this office. The king played with the notion of reunion, dreaming that he might interest the pope in the recovery of the Palatinate for his nephew, but grew cold as soon as the presumption of the queen and the catholics awakened his displeasure.

In 1636 Conn took up his residence at the English court. Under his impulse the queen became more and more zealous in forwarding the great work of conversion and shielding the converts from her husband's anger. At length Lord Newport, displeased to find that his wife had become a catholic, complained to Laud;[1] and Laud, who felt his own position threatened, spoke so strongly at the council board that the king seemed about to take measures against such events in future. The queen put forth all her influence with the king, until Charles, feeling the natural despair of a husband and a layman, desired the archbishop to confer with her majesty, and added that he would find her reasonable. The archbishop proposed in council that the chapels of the queen and the ambassadors should be closed to English subjects. The queen made good the freedom of her own chapel. The king begged Conn not to spirit her up in opposition. Conn abetted her all the more, and, although a proclamation against the catholics appeared in December, 1637, it was so mild that Conn himself termed it a paternal admonition rather than a menace. To show how light she held it, the queen mustered all the fashionable converts to receive the communion on Christmas day. Encouraged by her example, the ambassadors kept their chapels open, and the catholics were less careful than ever to hide their religious rites. And thus matters stood when Conn returned to Rome in the autumn of 1638.

What Charles did for the catholics was done in the way most fitted to alarm the men of that age. They saw the rulers of the Church of England laying stress upon everything in doctrine, discipline, and worship which was most akin to the doctrine, discipline, and worship of the Church of Rome. They saw the peculiarly protestant element in the Church harassed and, as far as possible, suppressed, while the laws against the Romanists were well-nigh suspended. They saw at court a catholic queen

[1] See Laud's *Diary*, October 22, 1637.

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CHAP. IX.

zealous for her own faith and powerful with her husband. They would learn before long that the pope had an agent at her ear. They knew or suspected that some of the king's chief ministers and advisers, the late lord treasurer, the secretary Windebank, and Cottington, the chancellor of the exchequer, were either catholics or at least wavering protestants. They heard every now and then of persons high in rank and in royal favour going over to Rome. At such a time of exasperation all these things were enough to excite real alarm lest England should be brought back to catholicism and a serious belief that the king's advisers, civil and ecclesiastical, were working underhand for that purpose. The archbishop saw the danger to his cause and would willingly have persecuted the catholics as a pledge of good faith in persecuting the puritans; but the queen would not allow him to do the one nor would his conscience allow him to cease from doing the other. He must go on to the end, and be regarded by an ever-increasing multitude as a traitor, worse than any avowed enemy.

In England a ruler determined to govern arbitrarily had against him the feeling of a united people and strong legal traditions. In Ireland neither of these checks was to be feared, for two hostile peoples dwelt side by side and the only traditions were those of war and violence. After Chichester had quitted Ireland in 1615, Sir Oliver St. John held the office of deputy for seven years. He completed those plantations which Chichester had left unfinished, and deprived Waterford of its charter because the citizens elected magistrates who refused to take the oath of supremacy. His term of power was not marked by any great events. He retired in May, 1622, with the title of Viscount Grandison. The new deputy was Henry Cary, Viscount Falkland in the Scotch peerage. He entered on office with the hope of converting the catholics and issued a proclamation for the banishment of the priests. But the Irish government was so poor that it could not pay its small army, which broke through all the bonds of discipline and became a terror to the subject. When Charles went to war with Spain, he could not leave Ireland open to attack and he could not reorganise the Irish army without Irish funds. Falkland therefore received orders to treat the catholics with forbearance. He restored the charter of Waterford and called an assembly of

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CHAP. IX.

the nobility to which he offered certain favours in return for a regular contribution from every county towards the maintenance of the army.

The oath of supremacy as a condition of taking office was to be replaced by an oath which catholics could take without scruple. The shilling fine for not attending at church was no longer to be exacted. Defects of title to lands were to be cured by sixty years' possession, a bar to any further plantations. These concessions afterwards became known as the "Graces". Having declared itself unable to make a grant of money, the assembly was prorogued until April, 1627, in order that it might be strengthened by representatives of the counties. The enlarged assembly pleaded poverty and would grant nothing, but agents afterwards chosen by the Irish cities and counties to lay their grievances before the king himself proved more complying.[1] They promised a payment of £40,000 a year for three years, and in return the king allowed the catholics to take the new oath of allegiance and promised them secure enjoyment of lands sixty years in possession. The parliament which should have ratified this bargain was delayed for various reasons, and meanwhile Falkland, who had always chafed under the difficulties of his position, became embroiled with part of his council. Wishing to make a plantation in Wicklow, he had encouraged a prosecution against the Byrnes who dwelt there; a prosecution so scandalous that Charles interposed and named a committee of the Irish council to examine the matter. The committee reported against Falkland, who was recalled at the end of 1629. For a time Ireland was ruled by lords justices. Wentworth was named lord deputy in 1632, and made his hand felt in Irish business even before he took up his residence in Dublin.[2]

The contribution promised in return for the graces having come to an end in the year of Wentworth's appointment, he obtained by a trick its payment for another year. He made as though he would enforce the recusancy laws, while secretly informing the catholics that he wished them well, and that the

[1] See *State Papers*, Ireland, ccxliii., 446, September 22, 1626.

[2] The chief authorities for Wentworth's Irish administration are the *State Papers*, Ireland, ccliv.-cclvii., and the *Strafford Letters*.

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Earl of Cork, one of the lords justices, was the real cause of trouble. They believed him and paid in order to ensure his goodwill. He came to Ireland in July, 1633, took over the government, and partly by threats, partly by holding out hopes of a parliament, secured yet another year's contribution. Thus he gained time to survey the condition of Ireland and mature his plans. In Ireland, as in England, his first aim was to render the king independent of every other authority. Ireland had been a weakness to the crown, a frequent drain of men and money; henceforwards it was to become a strength to the crown, defraying the cost of its own government and on occasion furnishing men and money for use elsewhere. His second aim was to strengthen the English colony, the principal bond between the two kingdoms. His third aim, and at a long distance behind the other two, was the welfare of the old Irish population. Wentworth was statesman enough to know that the power of the sovereign must be built upon the prosperity of the subject, and he was a great administrator who loved order, economy, and effectiveness for their own sake. But we should deceive ourselves if we took him for a philanthropist or imagined that he was careful of truth or justice in dealing with the Irish. CHAP. IX.

The first thing needful was an irresistible army. In order to form and maintain that army he required a steady and abundant revenue. He would therefore induce the coming parliament to make such a liberal grant as would fill the treasury for the next few years. He hoped to accomplish this end by playing irreconcilable factions against each other, the protestants against the catholics, the English and Scottish settlers against the native Irish. He was resolved not to enter into any bargain with the parliament which might raise it in its own esteem. In the first session he would obtain a supply free from all conditions, and in the second he would pass such bills for the benefit of the subject as he thought proper. He had orders to dissolve the parliament if it should prove intractable. When it met on July 14, 1634, the protestants had a slight majority. Wentworth, in his most confident tone, demanded the means to pay the debt of the crown, £75,000, and to extinguish the annual deficit of £20,000. A Yorkshire friend and neighbour, Christopher Wan-

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CHAP. IX.

desford, whom he had brought over to Ireland and made master of the rolls, moved a grant of six subsidies or £270,000, and they were voted without demur. Then all parties demanded a confirmation of the graces, but were told that they must wait for another session, and the parliament was prorogued on August 2. Seldom has audacity won so complete a parliamentary success. When the parliament reassembled on November 4 they learned from the deputy that the whole of the graces would not be confirmed. He designed a new and extensive plantation in Connaught, and the exaction of a rent from landowners elsewhere if a flaw could be found in their titles. Discontent was loud, especially among the catholics, who had most to fear from this breach of faith; but Wentworth succeeded in gaining the protestants, carried his measures, and again ended the session victoriously on December 14.

Having thus made the crown irresistible, the deputy could execute his plan for strengthening the English colony in Ireland. Connaught was the only province which had not yet received any English settlers and in Connaught he proceeded to make a plantation. There were indeed strong arguments of justice and even of expediency against such a measure. The titles of the Connaught landowners had been recognised as good by Elizabeth and James, although the patents to that effect had not been enrolled and therefore were technically not binding. Charles for valuable consideration had passed his word that sixty years' possession should bar all claims of the crown to Irish land, and the Connaught landowners had been in peaceable possession for more than that time. Connaught like the rest of Ireland was then so quiet that no pretence of rebellion or conspiracy could be alleged. Nevertheless Wentworth persevered. In July, 1635, he went down to Connaught and took measures for the impanelling of juries to give a verdict on the king's claims. He told the jurors that the king might in strict law have seized the whole province, and he made no secret that they would be punished if they did not find a verdict for the crown. He thus prevailed in Roscommon, Sligo, and Mayo, but in Galway the jury was more staunch. Wentworth fined the sheriff £1,000 for packing the jury, ordered the jurors to be cited before the Castle chamber, and arranged to have their verdict set aside by the

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CHAP. IX.

court of exchequer. The Galway proprietors were to be punished for thinking that they had a title to their own estates by losing more than that fourth part which was to be taken from the submissive proprietors in other counties. These measures ended all resistance, although the plantation was never carried into effect, as other cares distracted Wentworth and finally withdrew him from Ireland. In the whole melancholy history of the plantations there was no more shameful incident than the attack on the Connaught proprietors.

Shortly before Wentworth's visit to Connaught the citizens of London were prosecuted in the Star Chamber for having failed to fulfil the conditions upon which the county of Londonderry had been granted to them by King James and were sentenced to forfeiture and a fine of £70,000. After three years Charles remitted the fine all but £12,000 which he wanted for a present to his queen. For this paltry sum and for a tract in Ireland which he would scarcely turn to better account than the Londoners had done, he earned the lasting ill-will of that great and rich city whose aid an English sovereign could not but require at some crisis of his reign. To vex and alarm at once the Irish proprietor and the English undertaker was surely the height of unwisdom.

In matters of religion Wentworth proceeded more cautiously. He held that while the Irish were catholics, they were less likely to be loyal subjects, and that therefore it would be a good work to make them protestants. But he thought that it would be dangerous to try force until he was stronger, and that force itself would not avail until the protestant Church had been rendered effective. He therefore dropped the petty persecuting measures of former deputies and did his best to reorganise the Church. He strove earnestly to regain the estates of the bishops from lay robbers, he encouraged the building and restoration of churches, he preferred competent clergymen, and enforced discipline and decorum according to the Laudian standard. Here his principles clashed with those of many zealous men in the Church. In a country where protestant and catholic were ever at strife, Anglo-catholic principles could not be acceptable. Wentworth forced convocation to repeal the articles drawn up in 1615 by Ussher, who had since become primate, and to adopt the articles of the Church of England. At the same time he

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CHAP. IX.

encouraged the bishops in an attack on the presbyterians of Ulster. No statesman even of that age held more firmly than Wentworth the doctrine that it is a high contempt for a subject to entertain any religious opinions other than those approved by the sovereign. He forgot that in Ireland protestants could not afford to quarrel.

Nor was Wentworth less arbitrary in his dealings with individuals. Lord Mountnorris, a member of the council and vice-treasurer of Ireland, although at first the deputy's friend, had gone into opposition. Like most Irish officials of that time, Mountnorris was not free from the stain of corruption. Wentworth determined to rid himself of Mountnorris, and the two men became personal enemies. It happened that a kinsman of Mountnorris had dropped a stool on Wentworth's gouty foot, and this became matter of conversation at a dinner where Mountnorris was a guest. "Perhaps," he said, "it was done in revenge of the public affront which the lord deputy had done me formerly. But I have a brother who would not take such a revenge." As Mountnorris was an officer in the army, Wentworth obtained leave from the king to try him by court-martial for these words. Four months after leave was given, and six months after the words were spoken, he brought Mountnorris before the council sitting as a court-martial on the charge of having spoken words tending to mutiny. Mountnorris was condemned to death, but Wentworth did not intend to execute the sentence; he only wanted to drive Mountnorris out of office and saw no objection to this way of doing it. Those who defend his conduct on the ground that Mountnorris was a knave betray their own ignorance of what law and justice mean.

In many respects Wentworth's government deserves high praise. On taking office he induced the king to promise that all business should pass through his hands and that all vacant offices should be filled by him. He used these powers wisely and bravely to put down the shameful jobbery which was the bane of Irish administration before and after his time. So far as in him lay, no man was preferred, no suit was granted, unless it were for the service of the crown. Courtiers, parasites, and place-hunters found at last a lord deputy who could and would balk their appetites. The revenue which he had so greatly increased he expended honestly and frugally.

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CHAP. IX.

He paid off the debts of the crown, he set apart a sum of £40,000 to release revenues which had been mortgaged, and he at length brought the income to balance the expenditure. He augmented the army which was well paid, well equipped and well disciplined. He suppressed the piracy which had rendered the seas so unsafe that ships were taken in sight of Dublin. He encouraged the manufacture of linen and tried to open out new fields of trade. It is true that he would not tolerate the woollen industry and made salt a monopoly of the crown in order that Ireland might depend upon England for some necessaries. Nevertheless the kingdom prospered under a ruler who kept the peace and allowed no tyranny except his own. Those whom he had injured most deeply were afraid to complain, and the Irish never seemed more content with their lot than in the years immediately before the terrible insurrection of 1641.

Even when overtasked with Irish affairs, Wentworth followed eagerly the course of affairs in England. In his correspondence with Laud and the king, he recommended the most vigorous policy. Wishing to secure the king from the danger of control by parliament or by the courts of justice, he laid the utmost stress on increasing the revenue and diminishing expenditure. He regarded the opinion of the judges on the lawfulness of ship-money as invaluable both for itself and for the countenance it gave to other taxes of the same class. But even that judgment would not avail unless the king stood aloof from the disputes of foreign powers and maintained peace so as to ensure a surplus with which he might form an army and make himself impregnable against all attack. He might then call parliament or not as he thought fit, and, if he called it, might accept or reject its counsels as he pleased. He would be so powerful that he need have no concern save not to press too hardly on his subjects. In the meantime every attempt to withstand the growth of the royal prerogative must be chastised with the utmost severity.

A passage often quoted from his correspondence leaves no doubt as to the policy which he wished the king to follow: "It is plain, indeed, that the opinion delivered by the judges declaring the lawfulness of the assignment for the shipping is the greatest service that profession hath done the Crown in my time. But unless his Majesty hath the like power declared to

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CHAP. IX.

raise a land army upon the same exigent of State, the Crown seems to me to stand but upon one leg at home, to be considerable but by halves to foreign Princes abroad. Yet sure this, methinks, convinces a power for the sovereign to raise payments for land forces, and consequently submits to his wisdom and ordinance the transporting of the money or men into foreign States, so to carry by way of prevention the fire from ourselves into the dwellings of our enemies (an art which it seems Edward III. and Henry V. full well understood), and if by degrees Scotland and Ireland be drawn to contribute their proportions to these levies for the public *omne tulit punctum.* Seeing then that this piece well fortified for ever vindicates the royalty at home from under the conditions and restraints of subjects, renders us also abroad even to the greatest Kings the most considerable monarchy in Christendom; seeing again this is a business to be attempted and won from the subject in time of peace only, and the people first accustomed to these levies, when they may be called upon, as by way of prevention for our future safety. . . . I beseech you, what piety to alliances is there that should divert a great and wise king forth of a path which leads so manifestly, so directly to the establishing his own throne," etc.[1]

When the king had thus placed himself beyond the need of parliamentary grants and armed himself with military power, he would have been absolute to all intents and purposes like his brethren of France and Spain. Even if he summoned parliaments they would have met merely to register his will, and would no more have limited the prerogative than did those idle assemblies of estates which went on meeting in some continental countries down to the time of the French revolution. Such being the natural result of the policy enforced by Wentworth, can we imagine that Wentworth with all his commanding ability, his long experience of men and affairs, his knowledge of what had taken place in neighbouring countries, did not foresee this result? He looked forward, it is true, to a time when parliaments should meet again, and was prepared in certain circumstances to advise that a parliament should be called, but, under the conditions which he hoped to establish, this course would

[1] *Strafford Letters*, ii., 59. The letter was written in 1637.

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be no more than a politic humouring of old prejudices. It has been said that Wentworth wished to restore that relation between crown and parliament which had prevailed in the time of Elizabeth. But Elizabeth was so far from being able to govern as she pleased that even in time of peace she had to ask parliament for subsidies. Moreover, Elizabeth had no army and the ultimate strength which decides political disputes lay not with her, but with her people. The monarch of Wentworth's aspirations with his full treasury and his armed force would be far more powerful than any Tudor. On the other hand, there is no difficulty in believing that Wentworth intended the necessary consequences of his advice. He may well have seen that a king who would make no concession to the people could be safe only by becoming absolute.

The personal government of Charles I. was to continue some time longer, but by 1637 its character had become patent. Everybody knew that the king had resolved to call no more parliaments and that he would raise by his own authority whatever moneys he might require. Everybody knew that most of the judges would pronounce any stretch of prerogative lawful and that such opinions would be taken by the king as conclusive. Everybody knew that the king and the archbishop would exact the most rigorous conformity with their standard of orthodoxy. The extraordinary courts bequeathed by the Tudors to the Stuarts, the high commission, the star chamber, and the council of the north, had never been so active or severe. The restraint on political and religious discussion was more minute and effective than ever. The act of revocation in Scotland, the perambulation of the forests in England, the projected Connaught plantation in Ireland, were so many proofs that neither length of possession, nor unquestioned loyalty, nor the faith of the sovereign himself could secure any man in the peaceable enjoyment of his estate. The government had become as arbitrary as any of the continental despotisms. This was the logical consequence of that theory of monarchy which Charles inherited from his father. The king, being necessarily above the law of which he is the source, could no more be bound by the law than the head of a family can be bound by those rules which he makes for the guidance of his children and servants and modifies from time to time as he thinks advisable.

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CHAP. IX.

For the satisfaction of the vulgar the king might indeed require the judges to proclaim the lawfulness of his acts at the risk of dismissal, should they refuse to give the answer that they ought. Upon his own principles Charles was already an absolute king and had no need to make himself such, a circumstance which may explain his unfailing conviction of his own integrity and his singular neglect to provide adequate means of forcing his people to remain obedient.

It may seem strange that in this posture of affairs the English nation should have remained so tranquil. But men seldom rebel unless their actual condition is wretched. England enjoyed profound peace; taxation was not heavy; justice was fairly administered as between man and man; and the government showed reasonable consideration for the welfare of the common people. Trade still flourished, large tracts of the fens were reclaimed and the tokens of wealth and luxury were seen on every side. Those who valued the principles of a free constitution might abhor the precedents which Charles and his ministers were making and tremble to reflect how easily and how swiftly a mild despotism can become a remorseless tyranny. But men who can grasp political principles are comparatively few and may be ignored unless some accident brings the multitude to their side. The puritans might complain of a persecution embittered by the contrast of the favour extended to Roman catholics. But the puritans were a minority of the nation and an unpopular minority. The average Englishman who blamed the bishops for harrying the puritans was far from a puritan himself. The number of the discontented was great, but they were as yet ignorant of their strength and they were not generally incensed to that point at which men forget personal safety in the longing for freedom and revenge.

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CHAPTER X.

THE SCOTTISH NATIONAL COVENANT AND THE SHORT PARLIAMENT.

IN the later years of Charles I. the currents of English and Scottish history, which had hitherto flowed apart, save at brief moments, mingle inextricably. Hence it becomes needful to insist upon the peculiarities which at that time distinguished Scotland from England.

Scotland differed from England in the faintness of its political and the intensity of its ecclesiastical life. Placed at the verge of the Old World, remote from the main lines of traffic and the great centres of industry, with a barren soil and an inclement sky, with its mineral wealth but half-known and little used, Scotland, even according to the humble standard of that day, was a very poor country. The highlands, a full half of the kingdom, were still barbarous. Even in the lowlands the middle class was weak in numbers and resources. Society was still feudal everywhere, and in the highlands patriarchal as well. The nobility retained those ample jurisdictions and that commanding influence over their dependants which the nobles of England had long since lost. In Scotland the crown had usually been weak, its revenue small, its armed force next to none, and the ablest kings could ill control a country so impassable and a people so warlike. In the highlands the chieftains exercised all the ordinary powers of government. Far from being able to oppress his subjects, the sovereign had rarely been able to protect them. The steady growth of the royal authority in the reign of James had favoured order and well-being, but was not less adverse to vigorous political life than the old feudal confusion. As regards political development, the Scots were nearly four centuries behind the English.

What the Scots lacked in zest for the affairs of the State

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CHAP. X.

they more than made up in zest for the affairs of the Church. The highlanders, indeed, who still retained many pagan usages and superstitions, were too primitive for theological controversy. In the middle region of the highlands, extending from Morven and Lochaber into Banff and Aberdeen, many clans kept the Roman catholic faith. But in the lowlands the middle class and most of the humbler folk were inflexibly Calvinist. James had revived the episcopal office and the episcopal order; he had established a court of high commission and tamed the general assembly; he had even begun to bring the doctrine and worship of the Kirk into harmony with the doctrine and worship of the Church of England. Yet all that he had achieved was hollow and unreal. The parochial organisation and the Church courts remained presbyterian; the people still deemed the general assembly the only valid ecclesiastical legislature, and the national spirit revolted against any innovation on the system of Knox and Melville which could be construed as even a distant approach to Romanism.

Charles and Laud were not satisfied with the half-measures which had been enough for the more prudent James. Soon after his return to England Charles sent orders that the surplice must be worn by ministers. He created a new bishopric of Edinburgh. He bestowed the office of chancellor on Archbishop Spottiswoode. In October, 1634, he established a new court of high commission for Scotland, with very formidable powers. In May, 1635, he gave his sanction to a new book of canons, which had not even been submitted to the Scottish bishops, much less approved by a Scottish parliament or general assembly. It contained many enactments most distasteful to Scotsmen. It asserted the king's prerogative as head of the Church and the bishop's authority under the king, directed the placing of the communion-table at the east end of the church, and required acceptance of the new Prayer Book which had not yet been completed. The Book of Canons was published in the following year.[1] By the autumn of 1636 the new Service Book was ready. It had been drawn up by a few Scottish bishops, in full sympathy with Laud and the king, it followed in most respects the English Book of Common Prayer, was revised and

[1] The Canons are printed in Laud's *Works*, v., 583 *et seq.*

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CHAP. X.

altered in England, and was never submitted to any assembly representing the Church of Scotland. In December a proclamation of the Scottish Council ordered the Service Book to be used in every parish and required every minister to procure two copies on pain of outlawry. In May, 1637, the book itself came down to Scotland.[1]

From the first a sullen spirit of resistance spread through the people, already exasperated at the indifference shown to its religious feelings. Congregations accustomed to Knox's *Book of Common Order* saw in the new liturgy a near approach to the mass. That a form of worship settled in England without consulting Scotsmen should be thrust upon the Kirk stung Scottish patriotism. Scotland, it seemed, was to return to all the superstitions of Rome at the bidding of an insolent English priest. On Sunday, July 23, the new liturgy was read in the cathedral church of St. Giles, Edinburgh. With some vague foreboding of trouble the most dignified officers of Church and State, the two archbishops, several bishops, the lords of the council and the lords of session attended to enhance the solemnity of the service and to overawe the murmurs of the crowd. But scarcely had the Dean of Edinburgh begun to read the service when his voice was drowned by cries of horror and epithets of abuse. The bishop interposed and the uproar was redoubled. A woman aimed a stool at his head which nearly hit the dean. Then the primate commanded the magistrates to clear the church of the rioters. It was done, not without a struggle, and the remnant of the congregation heard the service to the end, while the furious mob thundered on the doors and the windows fell in shivers on the pavement. When all was over, they made their way home as best they could, the bishop hardly escaping grave injury at the hands of the rioters. In order that the afternoon service might be celebrated, it was necessary to set guards round the church and to exclude every woman, for the fair sex had been foremost in the tumult of the morning.

The Scottish privy council was not forward to defend the innovations in the Church, and indeed had no force which could control the mob of Edinburgh backed by the zeal of half

[1] See *The Liturgy of 1637, commonly called Laud's Liturgy*, edited by Dr. James Cooper.

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CHAP. X.

Scotland. So well aware were the councillors of their impotence, that the primate himself moved the suspension of the old and new forms of prayer alike, until the king's pleasure could be taken, and the motion was gladly adopted. Charles ordered them to quell resistance and Laud ridiculed the hesitation of the bishops. But the ministers dared not read the service, for they knew that neither magistrates nor councillors could protect them for one hour. As the news travelled over Scotland, petitions were drawn up and passed from hand to hand, gaining signatures everywhere, and the gentry and nobility came forward to lead and organise resistance. The king, who began to see that he must put off the attempt to force the liturgy upon Scotland,[1] sought relief in punishing Edinburgh and ordered that the privy council and court of session should remove to Linlithgow. The reading of his proclamation raised a storm which the council could appease only by imploring the help of the noblemen and gentlemen opposed to the king's policy. A General Supplication was drawn up, asking the king that the bishops might be put on their trial and in the meantime shut out of the council when it was dealing with the state of the Church.

The party of resistance next chose a permanent body of commissioners representing all classes, a minister from each presbytery, a citizen from each borough, two gentlemen from each shire, and not fewer than six noblemen. On December 21 these commissioners presented the General Supplication to the council. Charles summoned the treasurer Traquair to advise him, but did not take his advice. In a new proclamation he avowed the Prayer Book and would offer no more than a pardon to those who had petitioned against it. The petitioners affected to treat the proclamation as merely the work of the council, with which they would have no more to do while the bishops sat there. Finding that the commissioners were too numerous for prompt action, they chose four "Tables" or committees, one of nobles, one of gentlemen, one of citizens, and one of ministers, with power to unite whenever it seemed expedient. Then they recurred to a precedent of 1581, when King James had invited his people to enter into a covenant by which they renounced

[1] Baillie, *Letters and Journals*, vol. i., appendix 2, entitled *Original Letters and Papers*.

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the doctrines of Rome and bound themselves to defend the Church of Scotland. Two of the ablest of the popular leaders, Alexander Henderson, minister of Leuchars, and Johnston of Warriston, a lawyer, were appointed to draw up a new version of this covenant, expressing the resolutions of all the opponents of the Prayer Book. After their draft had been revised by the leading nobles, Lord Balmerino, the Earl of Loudoun, and the Earl of Rothes, and approved by all the ministers then in Edinburgh, it was carried to the Grey Friars Church on February 28, 1638, to be signed by the people in their several orders. CHAP. X.

By the National Covenant[1] the subscribers, after reciting the errors and corruptions of the Church of Rome and the statutes by which the Church of Scotland had been reformed, bound themselves, first, to reject all innovations in religion which should not have been approved in free assemblies of the Kirk and in free parliaments, and, secondly, to uphold to the utmost the authority of the crown. As things were, the two pledges contradicted each other, for a presbyterian Church and a Stuart king could no more work together in the same land than fire and water in the same vessel. Yet the subscribers were not pledging themselves as a political juggle to perform what was self-contradictory. The Scots were as monarchical as they were presbyterian. For the next fifty years the largest, or at least the most effective, part of the Scottish nation contended to make good this impossibility. They tried to force their system upon the victorious parliament and the defeated king. They fought to the last for their system against the potent genius of Cromwell, and only after a long and painful experience under Charles II. and James II. did they make their choice between the religion of their heart and their native line of kings.

Although the Scots are esteemed a shrewd and sceptical race, the most famous document in their history was thus the outcome of passion more than of policy. For that very reason it expressed the soul of the people and was adopted with ardour by myriads who knew nothing of affairs of state. The Grey Friars Church could not contain the multitudes that came to subscribe, and the covenant had to be laid out on a tombstone

[1] Rushworth, ii., 734.

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CHAP. X.

in the churchyard. Many, as they signed, burst into tears. When the covenant was circulated through the country it found an equally eager reception, and, as the number of subscribers grew in Edinburgh and elsewhere, it became hard and even dangerous for any one to hold aloof. Popular fanaticism, organised and aware of its strength, has few scruples and no regard for freedom. Sermons, solicitations, threats and even bodily violence, all were used to get signatures, until at length the nation seemed unanimous. The king had not only challenged a most formidable rebellion, but he had called forth a spirit which, heroic as it was, was also narrow, dogged, bitter, and intolerant almost to madness. As the spring wore on, he saw too late that he had no force with which to encounter the uprising, at once orderly and desperate, of a whole people. He brought himself to promise that he would not press the canons and the Prayer Book except in a fair and legal way, but he held that the covenant was a standard of rebellion which must be surrendered. To negotiate with the rebels he chose the Marquis of Hamilton.

As the head of one of the most illustrious and powerful families in Scotland and the personal friend of the king, Hamilton seemed very suitable for his arduous mission. He reached Edinburgh early in June and was met by the covenanters with an appeal to a general assembly from which the bishops should be excluded and to a parliament. He returned, hoping that he might induce Charles to accept what he thought inevitable. Since Charles had not the means of making war, he sent Hamilton on a second mission in August, with authority to promise the calling of a general assembly and a parliament, but without authority to accept the covenant. When Hamilton announced these offers, a new dispute arose upon the constitution of the assembly. The king intended that it should consist solely of clergymen, including the bishops. His adversaries meant to exclude the bishops and admit laymen, and Hamilton, finding them inflexible, returned to England. He doubtless used his best efforts with the king and gained leave to announce extraordinary concessions. Returning to Edinburgh he declared that the king revoked the high commission, the canons and the Prayer Book, and was ready to revoke the articles of Perth if the parliament so desired. Even the power

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of the bishops was to be limited Hamilton was also charged to summon a general assembly for November and a parliament for May, 1639. CHAP. X.

In the elections to the general assembly the people took no account of the king's wishes, the recent practice or the claims of the bishops, but went back to an act of 1597 determining who should elect and who should be elected. Each parish was to send the minister and one lay elder to the presbytery, which was to elect three ministers to the assembly. The gentlemen within the jurisdiction of each presbytery were to elect one lay elder. The bishops were considered merely as culprits. They were indicted in legal form before the presbytery of Edinburgh, which referred their cause to the general assembly. Charles, in reply, empowered Hamilton to announce that he was preparing for war, although desirous of peace and willing to summon a new and more regular assembly. Without heeding the threat or Hamilton's effort to interpose, the assembly met in Glasgow on November 21. On the 28th Hamilton pronounced its dissolution, and withdrew, followed by the other privy councillors, all save one man who was to be the political chief of the revolt against the crown, Archibald, Earl of Argyle.[1] The assembly ignored the plea to the jurisdiction put in by the bishops, abolished the episcopal office, declared the nullity of all assemblies in which bishops had borne a part, condemned the articles of Perth, the canons and the new Prayer Book, and put the Church of Scotland on a strictly Calvinist and presbyterian footing. The royal supremacy was thus ended, and Hamilton returned to England for the third time with nothing but failure to report.[2]

Charles, impatient to conquer the Scots, was held back by want of means. Early in 1639 he issued a fourth and last writ of ship-money, but did not venture to ask for more than £70,000, which came in very slowly. For the invasion of Scotland it was computed that 30,000 men would be necessary, and that such an army would cost £935,000 a year. In his need the king fell back on poor expedients. The

[1] *Hamilton Papers*, relating to the years 1638-1650, edited by Gardiner.

[2] For an account of the proceedings of the general assembly, see Baillie, *Letters and Journals*, i., 118-176.

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CHAP. X.

nobles were summoned to discharge their military service as feudal tenants. The trained bands of the northern counties and a number of pressed men were to form the infantry. About 12,000 troops would be available on the border and 5,000 more were to be embarked for a diversion on the east coast of Scotland. The king's army was not weak in numbers alone; the men were raw, undisciplined, and indifferent to the cause. Charles, who had no spark of national feeling, tried to obtain from the Netherlands a number of veteran Spanish battalions in return for leave to the Spaniards to beat up recruits in England and Ireland. Fortunately for him, not a Spanish soldier could then be spared by the government at Brussels. Generals were also wanting. The Earl of Arundel, who had no qualification save those of rank and ill-will to protestantism, was named commander-in-chief, and the Earl of Holland, the most agreeable of courtiers, but the most untrustworthy of politicians, was to be general of the horse. The post of second in command was given to the Earl of Essex, who had sense, courage, and some slight experience, but was ill-content to have been placed no higher.

The Scots opposed a fierce yet methodic enthusiasm to the languor and discontent of the English. In spite of the royal navy they procured from abroad great quantities of arms and ammunition. Recruits came forward in crowds, and among them many men of tried valour. For, in an age when the Scots had few industries, little commerce, and no access to wide lands beyond the ocean, they sought, like the Swiss, a career as soldiers of fortune in foreign countries. Religious preference had usually led them into the service of the protestant powers, notably of the Dutch republic and Sweden, where, under the foremost generals of Europe, and in long and strenuous warfare, they perfected the high martial qualities of their race. Hundreds of these veterans were available to stiffen the covenanting ranks, and one among them, Alexander Leslie, the natural son of an obscure laird, was chosen to supreme command. More than thirty years earlier Leslie had entered the Swedish service. Under three successive sovereigns he had fought against the Russians, the Poles, the Danes, and the Imperialists. He had been knighted by Gustavus and created a field-marshal by Christina; but on the approach of trouble in

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CHAP. X.

Scotland, he obtained letters of demission and returned to uphold the covenant with purse and sword. Although not a man of genius, he was a good disciplinarian, and a prudent strategist. He soon found himself at the head of an army at least equal in number to the army of the king, and infinitely superior in every quality which distinguishes an army from a mob of countrymen.[1]

It only remained for the contending parties to set each its own cause in the most favourable light. The Scots put forth a declaration protesting their loyalty and laying all the blame on certain English prelates who favoured the Church of Rome. Charles in his proclamation denied that the dispute turned on the service book or on episcopacy; it was whether he should be King of Scotland or not. He intended to cover the border with his main army, while the force on shipboard, under Hamilton, should be disembarked at Aberdeen to join the Gordon array under the Earl of Huntly, and, thus reinforced, march southwards, rallying the scattered loyalists to assail the enemy in the rear. But the covenanters were on the alert. They took with little trouble every castle held for the king in the south of Scotland save Caerlaverock. Against Huntly, who had risen on a premature summons from the king, they sent James Graham, Earl of Montrose, a young man of splendid genius for war, then as eager in the cause of the covenant as he was to be somewhat later in the cause of Charles. On his approach, Huntly, although at the head of 5,000 men, despaired of success, disbanded his troops, went to meet Montrose, and promised not to hinder any of his people who might wish to sign the covenant. Those who were unwilling to do so should subscribe an engagement to uphold the laws and liberties of Scotland, and Huntly himself was to remain quietly at home. But the covenanters, afraid to have so potent a chief at large when they should join battle in the south, lured Huntly to Aberdeen, made him a virtual prisoner, and carried him off to Edinburgh. Montrose, it is painful to record, was the agent in this treacherous business.

Thus the diversion in the north, so highly valued, became

[1] See C. S. Terry, *Life and Campaigns of Alexander Leslie, First Earl of Leven.*

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CHAP. X.

impossible, and the English army on the border had to assail a united kingdom. Three regiments only were to go on board the fleet, which was to sail for the Firth of Forth, where Hamilton might try whether any would take his part. A royal proclamation offered pardon to all but nineteen of the leaders of the rebellion, and tried to gain the vassals and tenants of rebels by promising a reduction of their rents. The Scots, who were well informed by their friends of the king's real weakness, were not to be moved by threats or promises. The English nobles were so deeply disaffected that Charles tendered them an oath to fight in his cause to the utmost of their power and the hazard of their lives. Lords Saye and Brook refused the oath, and were placed in custody. Hamilton entered the Firth of Forth on May 1, but could find no place to disembark his men. The very women were working on the fortifications of Leith, and his own mother, pistol in hand, promised that she would be foremost to shoot him if he landed. In despair he advised his master to make up the quarrel at any sacrifice. Charles was so far moved as to issue another proclamation, claiming only temporal and civil obedience, but he felt that he must do something, and advanced with his troops as far as Berwick. A few days later the Scots reached Kelso.

The king's forces had risen to 18,000 foot and 3,000 horse, and he was impatient to strike a blow, for he knew not where to find the means of maintaining them. Holland was ordered to drive the enemy out of Kelso, but found, or thought he found, them far stronger than himself and returned without firing a shot. Nothing could more dispirit new soldiers, left idle without shelter or sufficient necessaries and beginning to sicken in large numbers. Then Leslie with the main Scotch army advanced to the border, and encamped on Dunse Law in sight of the king's troops. The Scots were in high spirits and under exact discipline, well fed and well provided.[1] There could be little doubt how a pitched battle would go, but the Scottish leaders were too shrewd and too deferential to desire such a battle if it could be avoided. They took the first opportunity of negotiating, and begged the king to name commissioners to treat. Beset with difficulties and urged by Hamilton, who had

[1] Baillie, *Letters and Journals*, i., 211-214.

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come back to the camp, Charles gave way, and commissioners of both parties met on June 11 for a first conference. CHAP. X.

What drove the king to negotiate was the want of means to keep his army together. He had demanded a free contribution, first from the city of London, afterwards from the whole kingdom. With the exception of the clergy and some servants of the crown, hardly anybody would contribute. The queen had solicited the catholics, although to small purpose. Under pressure from the king the council demanded a loan of £100,000 from the city, but threats could wring no promise from the aldermen, and the council dared not put its threats in execution. By straining all his resources the treasurer managed to collect £20,000, a small sum with which to conquer Scotland. Charles accepted the terms offered by the Scots, and the treaty of Berwick was signed on the 18th. Both sides agreed to disband their armies. The Scots undertook to dissolve all unlawful committees, such as the Tables, and to restore the royal castles, while Charles consented to leave all civil matters to the determination of parliament, and all ecclesiastical to the determination of the general assembly. As he still refused to acknowledge the assembly held at Glasgow, a free general assembly was to be held at Edinburgh in August. Parliament was to meet a few days later, and, among other acts, was to pass an act of oblivion and indemnity.[1]

The treaty of Berwick left the gravest differences between the king and the Scots undetermined. The king, in his proclamation ordering new elections for a general assembly, summoned the bishops and archbishops to sit there. The covenanters at once replied with a protestation, and the Edinburgh mob with sundry acts of brutal violence. On the other side the covenanters did not strictly fulfil their promises of disbanding the army and dissolving the Tables. Conferences between the king and the chief covenanting nobles had no other effect than to embitter the quarrel. Charles was resolved never to abandon the cause of episcopacy in Scotland; the covenanters were even more resolved not to suffer its restoration, and, knowing that the king had only yielded to necessity, they could not but regard him with incurable distrust. At this very moment he was direct-

[1] Rushworth, iii., 944.

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CHAP. X.

ing the bishops to protest against the new assembly, and assured the primate that he would never leave thinking how to remedy any concessions which he might be forced to make against the interest of the Church.

When the general assembly met, it re-enacted the measures adopted at Glasgow. When the parliament met, Charles announced in a letter to Traquair that, though he had consented to the abolition of episcopacy, he would not consent to a repeal of any of the statutes by which episcopacy had been established. So frank an avowal of insincerity was not lost upon the parliament, which suppressed episcopacy, justified those who had taken part in the late rebellion, and provided that the chief castles of Scotland should be entrusted to none but Scottish subjects, approved by the estates after they had been named by the king. As Charles would not defer to Scottish opinion in ecclesiastical matters, Charles was to have his civil authority curtailed. He lost patience and ordered Traquair to prorogue the parliament. The Earls of Loudoun and Dunfermline were sent to ask that he would change his resolution. Charles would scarcely have yielded even if left to himself, and he was now in the hands of a most resolute and imperious adviser, for in September Wentworth had returned from Ireland, his fierce nature exasperated by painful disease and by anxiety lest the whole fabric of personal government which he had done so much to rear should crumble into ruin. In the committee of council for Scottish affairs Wentworth predominated, and, next to Wentworth, Laud. It is not surprising that the king should have repeated the order to prorogue the parliament and refused the entreaty of Dunfermline and Loudoun that he would confirm the bills passed in the recent session.

Having committed himself to a new war against Scotland, Charles had to find the ways and means. The council resolved on a fresh demand for ship-money. Something was said about levying an excise by prerogative. But Wentworth urged the king to call a parliament in the hope that either it would grant what was asked or, if it proved intractable, the king would have more colour for taking what he wanted by his own authority. The archbishop, who shared Wentworth's illusions, and Hamilton, who did not greatly care what happened in England, supported Wentworth, and their joint influence prevailed with

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CHAP. X.

Charles. The lords of the council promised that, if parliament would not give, they would assist him in such extraordinary ways as should be thought fit. They even offered an immediate loan of £300,000. Wentworth subscribed £20,000, three other members £10,000 apiece, and two-thirds of the loan had been subscribed before Christmas; a remarkable proof of the wealth of the English nobility. It was settled that the English parliament should meet on April 13 and the Irish parliament somewhat earlier, in order that its compliance with the king's demands might dispose the commons at Westminster to grant a larger supply.

The king, wishing to sweeten public opinion, released Valentine and Strode from their long imprisonment. But he showed by his bestowal of preferment how little he looked for any serious opposition. He created Wentworth Earl of Strafford and raised him from lord deputy to the higher style of lord-lieutenant of Ireland. On the death of the Lord-Keeper Coventry, he entrusted the great seal to Chief Justice Finch, one of the extreme prerogative lawyers. Having dismissed Sir John Coke from the secretaryship, he gave that post to Sir Henry Vane, whose main recommendation was the goodwill of the queen and Hamilton, and this against the vehement resistance of Strafford, who counted Vane a personal enemy.

The Irish parliament met on March 16, 1640, two days before Strafford reached Dublin. Availing himself of its divisions and of the natural fear and abhorrence with which the Irish catholics regarded the Scottish covenanters, Strafford obtained lavish assurances of loyalty and four subsidies, or £180,000, a grant which, if we take into account the poverty of Ireland, must be deemed very liberal. The lord-lieutenant reckoned that, with some help in money from England, he would be able to dispose of 9,000 Irish troops for the approaching campaign. With what feelings the English would see Irish catholics opposed to Scottish protestants he did not apparently reflect. The session of the Irish parliament closed to his entire satisfaction.[1]

The English elections took place in March. The discontent which had long been gathering in the hearts of the people did not explode with violence but it wrought far and wide. To be

[1] *Strafford Letters*, ii., 402.

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CHAP. X.

known as an opponent of the policy hitherto pursued in Church and State was the best recommendation of a candidate. Most of the men who became famous in the ensuing troubles, whether for or against the king, were returned as members of the popular party. Pym brought to his sixth parliament definite convictions, large experience, and mature ability. Hampden, whose resistance to ship-money had given him equal weight, was elected by his native county. Oliver Cromwell, who had sat for Huntingdon in the last parliament, became a burgess for the town of Cambridge. The reputation gained by St. John in defending Hampden won him a seat for Totnes. Among the new members were the young Lord Falkland, son of the unsuccessful deputy of Ireland, the most winning and amiable among the public men of that day; his friend the accomplished and eloquent Edward Hyde, afterwards Earl of Clarendon, and George Digby, son of the Earl of Bristol, in whom talents of no ordinary kind were to be made useless and even ridiculous by a flightiness and perversity hardly conceivable. As a whole, the new house of commons resembled those which had gone before. The great majority of the members were favourable to the puritans, hostile to the Arminians, eager to redress grievances, and resolute to keep the powers of parliament unimpaired. They were not, however, inclined to push anything to an extreme, and would have been amenable to wisdom and forbearance on the part of the king. But Charles was unable to imagine that his subjects could have any ground of complaint.

When parliament met on April 13 the lord-keeper explained the king's need of money and intimated that a bill granting tonnage and poundage from the king's accession and a subsidy bill would be presented to the commons. After these had been passed they would be free to consider the grievances of the subject. This order of business did not approve itself to the house. Member after member rose to complain of encroachments on the liberty of the people. Pym summed up the various topics of complaint in a weighty oration which marked him out as the leader of this and of the ensuing house of commons. He did not attack persons, but proposed that they should ask the lords to join in searching out the causes and remedies of these insupportable grievances and in petitioning

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CHAP. X.

the king for redress.[1] The commons then went into committee on the treatment of Eliot and other members after the dissolution of the last parliament, on the writs of ship-money, and on the old grievance of impositions. That the lords felt with the commons, at least in ecclesiastical affairs, was shown as well in other ways as by their calling in question the bestowal of a bishopric on Manwaring.

Matters once more followed the familiar circle. The king sent for the houses and the lord-keeper insisted that they must grant a supply. To kindle the emulation of parliament convocation voted no less than six clerical subsidies, or £120,000. The commons asked the lords to grant them a conference, hinting that they knew not whether they had anything to give or no until their liberties were cleared. The king, more angry than ever and prompted by Strafford who had come back from Ireland, went down to the house of lords to declare that supply must precede redress of grievances and to ask the peers not to join with the commons if they remained obstinate. The lords were moved by this personal appeal to vote that grievances should be postponed to supply, and the commons very naturally treated their conduct as a breach of privilege. Strafford then told the lords that, if the commons refused a supply, the parliament should be dissolved. Yet in the council he advised the king to yield on the point of ship-money, and the king consented that the famous judgment should be carried on a writ of error before the house of lords, where it would be reversed as of course. In return the king might expect a liberal grant; Vane thought, twelve subsidies or £840,000. Strafford would have left the amount to the good-will of the commons, and the king at last agreed to take eight subsidies, although he changed his mind later.

The next morning, May 4, Vane asked the house to grant twelve subsidies in return for the abandonment of the claim to ship-money. In committee opinions were divided. Hampden, who did not wish to make the king independent while so many other grievances were left untouched, saw that the house would be unwilling to grant a sum so enormous, and therefore proposed that they should divide on the question of giving the

[1] Rushworth, iii., 1131.

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CHAP. X.

sum specified. Hyde, who hoped to close the difference between the house and the king, proposed that the question should be whether they would grant a supply at all, a question which most of the members would answer in the affirmative. In the course of debate other grievances were denounced, such as the impressment of soldiers and the exaction of coat and conduct money, that is, money to clothe and transport the men newly levied. Finally, Vane declared that the king would take nothing less than twelve subsidies, whereupon the debate was adjourned to the following day. As the king was entering upon a serious war, he was not likely to forego resources to which he thought himself entitled. The parliamentary leaders had further provoked him by negotiating with the Scots' commissioners and by proposing to discuss the Scottish declaration. After the committee broke up, they resolved on a petition for a treaty with the Scots, and their resolution became known to Charles. He called a council for six o'clock the next morning, announced his intention of dissolving the parliament and carried it out, regardless of Strafford's urgency for delay. The parliament, which had sat just three weeks, became known in contrast to its more famous successor as the Short Parliament.

In later years Hyde explained this abrupt dissolution by the treachery of Sir Henry Vane, who bore a grudge against Strafford for having taken his second title from Vane's estate of Raby. Hyde, after joining the king's party, was so resolute to find in mere personal piques and ambitions the causes of the mighty conflict, that his account of the matter carries the less weight.[1] What happened was much the same that had happened with every previous parliament of the reign. As the king and the commons acted on opposite theories of government, there could be no harmony between them, and every meeting issued in a new conflict. This time the members of the opposition were not frightened but incensed.[2] The more moderate went home full of anger; the more daring felt with Oliver St. John that all was well, for it must be worse before it

[1] Clarendon, *History*, ii., 66-79; and the criticisms of Ranke, *History of England*, vi., Appendix, criticism of Clarendon, and Gardiner, *History*, ch. xci.

[2] See Gardiner's observations on the dissolution of the Short Parliament, *History*, ch. xci.

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CHAP. X.

could be better. Next time they met they would seek redress, but they would seek revenge also.

The Scottish war had to be carried on, like the king's former wars, without parliamentary assistance. The committee of council for Scotch affairs was divided as to the best mode of action. Vane, who knew the feeling of the country, wished to stand on the defensive. Strafford, who had a sound military instinct, was for taking the offensive. For this purpose he advised the king to act "loose and absolved from all rules of government". The Irish army might be brought over to help against the Scots.[1] The archbishop agreed in advising the king to carry matters with a high hand; advice which Charles was always ready to take. Some members of the late parliament were sent to prison; the studies of others were searched, though in vain, for criminating papers. Measures were taken to enforce payment of ship-money and coat and conduct money. The lord mayor and aldermen were called before the council and required to raise a loan of £200,000 from the city. They were to return in a couple of days with a list of the persons able to contribute. Unwilling or afraid to obey, they came without the list. "Sir," said Strafford, "you will never do good to these citizens of London, till you have made examples of some of the aldermen. Unless you hang up some of them, you will do no good with them." But England was not Ireland, nor could the lord mayor of London be treated like Lord Mountnorris.[2] The king contented himself with sending four of the aldermen to prison. On the same day Strafford tried to obtain a loan from the Spanish envoys by promising that, when the Scots had been vanquished, the king would join with Spain to attack the Dutch. Little as the Spaniards knew about England, they declined the proposal. But what can be said as to the judgment of the man who made it?

Meantime symptoms of popular exasperation became frequent. Seditious and insulting placards were posted up in different parts of London. A mob went to Lambeth in hopes of surprising the archbishop and sacking his palace. The rioters who had been put in prison were released by an onset

[1] Vane's notes used at Strafford's trial. They are given in one form by Whitelocke, *Memorials*, and in another form in a paper printed in Report III. of the *Historical MSS. Commission*, p. 3.

[2] Rushworth, *Strafford's Trial*, p. 585.

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CHAP. X.

of their fellows. The trained bands of the home counties were brought up to restore order in London, but it was well known that they had no good-will to the work. The men pressed for the war began to desert or mutiny in an alarming fashion. Secretary Windebank applied to the papal agent Rossetti, who had replaced Conn, for men and money to help the king. When matters had gone thus far, it was necessary to temporise. The imprisoned aldermen and members of parliament were set at liberty and no more was said about the loan. Charles soon repented of this forbearance, and the payment of ship-money and coat and conduct money was severely pressed. Neither forbearance nor harshness could avail against a nation resolved not to pay. The clergy alone were eager for the war. As parliament had been dissolved before it could confirm the clerical grant of six subsidies, convocation, which continued sitting, turned that grant into a benevolence or free contribution. It put forth a number of new canons, asserting, among other things, the doctrine of non-resistance and requiring all clergymen and schoolmasters to declare on oath their approval of the established government of the Church "by archbishops, bishops, deans, and archdeacons, etc."[1] Its proceedings merely inflamed the general ill-will to the bishops, and the "etcetera oath" became the favourite theme of puritan ridicule.

Under these conditions the second Scotch war began. The king gave the command-in-chief to the Earl of Northumberland, who had little heart in the cause, but was a friend of Strafford. Strafford himself, who had many of the qualities of a great soldier, was appointed lieutenant-general and Lord Conway took command of the horse. It was intended to collect 23,000 men on the border, but months passed away and the army was still to make. The northern trainbands having been excused on account of their last year's service, the only men who felt some faint glow of hereditary hatred to the Scots were gone. The rank and file were pressed men, indifferent to the cause, ignorant of all that relates to war, and wholly without discipline. The cavalry were mounted on cart horses and armed with pistols which could not be discharged. As the temper of the gentry was such that they could not be trusted to command

[1] The Canons are printed in Laud's *Works*, v., 607 *et seq.*

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their humble neighbours and dependants, the officers were strangers to the men. Many of them were Roman catholics. A company asked its captain whether he would receive the communion with them, and, on his refusal, would march no farther. Others threatened to murder officers who had the misfortune to offend them. One or two officers were actually murdered. In the eastern counties the recruits under the conjoint influence of puritanism and liquor often broke into the churches and pulled up and burnt the communion rails. It was proposed to bring in Danish cavalry to keep down the English soldiers. At length orders were given to enforce martial law; but this being contrary to the Petition of Right, the commanders dared not act with vigour.[1] CHAP. X.

As the summer advanced, Charles was driven to the most desperate expedients for money. He seized the Spanish bullion which had been deposited in the Tower to be coined there for exportation to Dunkirk. The merchant adventurers protested so loudly against an act of violence which would call down reprisals abroad, that the bullion was released in return for a loan by the merchants of £40,000 on the security of the farmers of the customs. Then the council ordered a debasement of the currency to the amount of 75 per cent. The base coins were to bear the legend in Latin: "Let God arise and let his enemies be scattered". Again there was such an outcry in London that even privy councillors ventured to protest. The king offered to abandon the scheme if the common council would take up the old project of a loan from the city, but the common council declined to do anything and the debasement of the currency was quietly dropped.[2] Strafford again begged for money from Spain and to no purpose. The court of Rome replied to Windebank's overtures that it would send both troops and the money to maintain them if the king would become a catholic; otherwise it would give nothing. At the end of July, Northumberland calculated that the army would require for the next three months £300,000 "towards which we have not in cash nor in view above £20,000 at most".

On the Scottish side all was resolution and forwardness. An informal convention of estates had met at Edinburgh in April.

[1] *State Papers*, Domestic, ccccl vii. and ccccl viii., *passim*.

[2] Rushworth, *Strafford's Trial*, p. 589.

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CHAP. X. The parliament met in June, regardless of the king's order proroguing it to July, and promptly re-enacted all the measures which had been passed in November. When it rose it left a committee of estates to carry on the government. The covenanters soon had on foot an army as numerous and well-disciplined as in the previous year. What discontent was still lingering in some parts of Scotland, the committee of estates quelled with all the remorseless energy of Strafford. Argyle's friends proposed to give him the powers of a regent over all Scotland or at least over the country beyond the Forth, while the south should be entrusted to two other noblemen. In order to defeat this scheme, Montrose with eighteen others secretly entered into the bond of Cumbernauld and their resistance proved successful. As yet there was no outward breach among the covenanters. They resolved to bring the war to an issue by invading England, and, well aware that the English were either friendly or indifferent, they put forth a skilful statement of their purposes. Since they could not afford to carry on negotiations which might prove endless, they were coming to claim redress of their grievances from their king. So far from being hostile to England, they expected the next parliament to do justice upon his evil counsellors. They would act as in a friendly country, pay for all supplies, offer no wrong to the people, and shed no blood unless they were attacked.

On the other side the king prepared to take the command of his army, ordered the trainbands of the northern and midland counties to be called out, and summoned once more the military tenants of the crown, although permitting them to commute their service for money if they pleased. Northumberland, who had seen the case to be desperate and had fallen sick, was replaced as commander-in-chief by Strafford, who still imagined that the nation would rally round the king, that Newcastle might be defended, and that the Scots might be driven back into their own country. Charles reached York on August 23, and at his entreaty the Yorkshire gentlemen agreed to take the field. But on the night of the 20th Leslie, at the head of 25,000 soldiers, had crossed the Tweed at Coldstream and marched straight southwards, disregarding the fortress of Berwick on his left flank. The Scots kept their promises to the English people, save that they allowed themselves the exquisite

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pleasure of pillaging the estates of recusants and of the dean and chapter of Durham. On the king's side nothing was ready for resistance. Strafford himself was so broken in health that he could go no farther than York. Of the troops, about 12,000 were at Newcastle under Conway, and about the same number were with the king. Conway left two-thirds of his men in the town, and with the remainder took post at Newburn, the lowest ford on the Tyne. On the 28th the enemy appeared, and, after a cannonade which did little harm, the English fled and the Scots passed the river. Next day Conway withdrew the regiments left in Newcastle and the Scots occupied the town. All Northumberland had been thus cheaply won, all Durham was abandoned by the king's troops, and there was little hope that the line of the Tees would be maintained against the invaders. Strafford had by this time reached Darlington. Too late his eyes were opened to the ruin of his cause. "Pity me," he wrote to his kinsman George Radcliffe, "for never came any man to so lost a business."[1] CHAP. X.

A number of public men, hostile to the king's policy, had met in London and agreed on a petition for the calling of a new parliament, which should not only redress the grievances of the nation, but should call the king's ministers to account. As the peers were hereditary counsellors of the crown, it seemed decorous that peers alone should sign, and the petition bore the names of twelve, the Earls of Bedford, Essex, Exeter, Hertford, Rutland, and Warwick, and the Lords Bolingbroke, Brooke, Howard of Escrick, Mandeville, Mulgrave, and Saye. A few days later the Scots presented a supplication to the king for the redress of their grievances with the help of an English parliament. Thus beset, Charles adopted a suggestion of his council that he should convoke all the peers to assist him with their advice, possibly with their wealth. Such a great council had not met since the reign of Edward III., but it might delay for a moment the calling of a more formidable assembly. York was to be the place and September 24 the day of their meeting.

The Scots, although successful, were in a difficult position. Having spent all the money which they had brought from

[1] Whitaker, *Life of Radcliffe*, p. 203.

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CHAP. X.

home, they proceeded to levy contributions on the counties of Durham and Northumberland at the rate of £850 a day. The people of the north could not relish the payment of tribute to the hereditary foe, and there appeared in Yorkshire a disposition to rally round the king, whose forces continued to increase. But the people of the south were still favourable to the Scots, and the citizens of London came by thousands to sign a petition for a parliament. Money was scarcer with the king than ever. When, therefore, the peers assembled in the deanery at York, the king bent himself to ask their advice regarding the answer which he should give to the Scots, and the means of supporting the army until parliament should meet. The Earl of Bristol, whose ability and experience entitled him to lead, moved that the peers should name sixteen of their body to negotiate with the Scots, which was accordingly done. On the following day it was agreed at Bristol's suggestion that the citizens of London should be invited to lend £200,000 on the faith of the peers to supply the immediate wants of the army.

The sixteen peers virtually took the negotiation out of the king's hands. On October 2 they met the Scottish commissioners at Ripon and found them somewhat peremptory. The Scots demanded a payment of £40,000 a month so long as they occupied the northern counties, and their occupation was to last until a peace should have been made. Unwilling to submit, the king would have removed the conferences to York, where his presence might make itself felt, but the Scots declined to risk themselves in the grasp of an army commanded by Strafford. Nor did they object without reason; at this very moment Strafford was suggesting to Radcliffe that it would be well to set on the Irish parliament to drive from Ulster the Scottish settlers who were naturally in favour of their countrymen at home. Thus, in order to embarrass the covenanters, Strafford was prepared to kindle in Ireland the appalling war which broke out in the following year with consequences so bitter that they are felt even to this day. Radcliffe laid the proposal aside, but it cannot be forgotten in judging Strafford's character.[1] The negotiation was continued at Ripon, and at last the Scots lowered their demand to £850 a day, about £25,000 a month. The English commissioners agreed to pay

[1] Whitaker, *Life of Radcliffe*, p. 206.

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this price for a cessation of arms, and to leave the Scots in possession of Durham and Northumberland. A definitive treaty was to be negotiated in London. Charles would not enforce the payment to the Scots but would not forbid it. He accepted the treaty of Ripon and on October 28 the great council was dissolved. In a few days a new parliament would meet to debate the many painful and dangerous issues which had been raised by eleven years of personal government. CHAP. X.

During the struggle between the king and his Scotch subjects the consideration of his kingdom in Europe had dwindled to nothing. In 1637 Charles was still endeavouring to regain the Palatinate for his nephew without effort or expense on his own part, but his weak and shifty behaviour had discredited him with all parties to the great European contest. In 1638 he again asked the French and the Swedes to promise that they would exact the restoration of the Palatinate, and they again refused unless he would become their ally both by sea and by land. Then he gave Charles Lewis £30,000 to raise soldiers, and the prince took the field with a small army which was routed by the imperialists at Vlotho on the Weser, a combat notable as the first in which his brother Rupert displayed the headlong valour so well known afterwards on English battlefields. Rupert was made prisoner, but Charles Lewis escaped. Meantime the French were successful in all quarters, and Charles, alarmed and vexed, came to think that Richelieu was stirring up rebellion in Scotland in order to disable him from action elsewhere. He drew closer to the Spaniards and actually gave his protection to a Spanish armament which sailed from Corunna for Flanders in August, 1639. The Dutch under Tromp, disregarding his protection, fell upon the Spanish fleet and ruined it in the great battle of the Downs, fought on October 11. The covenanters thought of asking for French mediation and entered into a treasonable correspondence with Bellievre, the French ambassador, who would gladly have given them help. Richelieu, who with unerring judgment saw that discord in Great Britain needed no fuel, refused to interfere and recalled Bellievre. Modern research has dispelled the opinion held by Clarendon and many other historians that the French government for its own purposes fostered the great civil war.[1]

[1] Gardiner, *History*, ch. xci.

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CHAPTER XI.

THE FIRST SESSION OF THE LONG PARLIAMENT.

CHAP. XI. At the elections of October, 1640, the men who had sat in the short parliament were for the most part returned again. But the electors and the elected alike were in a far different mood from that which prevailed in the spring, for the arbitrary dissolution of the last parliament had raised public indignation to the point at which it becomes dangerous to rulers. Men had very generally come to believe that there was a conspiracy on foot to overthrow Protestantism and political freedom, and to establish the Roman catholic religion and arbitrary power. The pious fiction that whatever a king does amiss is done by the crafty suggestion of evil counsellors still protected Charles, but against his ministers and against the prelates the public feeling was unquestionably bitter and revengeful. It demanded something more than remonstrances or even statutes. The nation remembered how former parliaments had been cut short and their protests, even their legislation, had been ignored. Even the Petition of Right had not made the king more tender of the property or the personal freedom of his subjects. Parliament was therefore to be insured against untimely dissolution, and the ill advisers of the crown were to be, not merely removed, but punished. Then it would be time to consider what new laws should be passed for the common good. In this temper the fifth parliament of Charles I. met on November 3.

The king's position when the parliament met was such that he could hardly offer any resistance to its wishes. He could not dissolve it like former parliaments, for without its help he could not raise the funds to keep his own army together or to hinder the Scots from marching southwards. For the same reason he

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CHAP. XI.

could not refuse bills nor check impeachments. Although he was helpless, he was not convinced, and so little was there any common ground of understanding between him and the houses that from the first a keen observer might have foretold a civil war. Since Buckingham's death Charles had been no puppet; his policy, whatever its blemishes, had been of his own contrivance and execution. How then could he tamely sacrifice to the rage of parliament ministers whose only fault was to have served him diligently after his own heart? And even if he could wound his honour thus, how could he abjure those political principles which rendered it impossible for him to accept without reserve any statutory restraint upon regal power? In the government of his people he was God's vicegerent, and he had done his best; and if perchance he had sometimes erred, it was not for them to resist or even murmur. But in fulfilment of its own high purposes Divine providence had seen fit to chasten him and had allowed madness, wickedness, and impiety to triumph for a moment. Charles, therefore, remained passive, yielded where he could not resist, betrayed how unwillingly he did so, and reaped no popularity, no confidence. If he at length found a following and could proclaim a cause for which thousands of Englishmen were prepared to die, he owed this partly to the faults of his adversaries, partly to the guidance of men far wiser than himself.

On the 5th the house of commons elected a speaker. It was then usual to accept the nomination of the crown, and Charles, in default of any warmer partisan of his authority, named William Lenthall, a barrister. Without any extraordinary gifts, Lenthall had the tact, temper, and good sense which are so necessary in that office, and although his honesty was afterwards called in question, he remained speaker until the remnant of the commons were expelled by Cromwell. On the 7th the house began to consider the grievances of the subject, but its first serious business was the attack on Strafford.

Aware of the enmity which he had aroused, Strafford had been most unwilling to quit the army, but the king felt that his help was necessary and wrote urgently that he should come to London. If he came, he should not suffer in his person, honour, or fortune. Strafford, who knew better, wrote to Radcliffe that he was for London "with more dangers beset, I

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CHAP. XI.

believe, than ever any man went with out of Yorkshire".[1] Where every course is full of danger, a brave man will adopt the boldest, and Strafford was not without hope of destroying the chiefs of the house of commons before they could destroy him. On arriving in London he advised Charles to accuse his enemies of treason on the ground of corresponding with the Scots. Charles wavered, and the parliamentary leaders were warned.[2] There was no time to lose. Pym moved in the house of commons that the doors should be locked. He then denounced the intentions of Strafford with respect to the Irish army, and after some debate a select committee was chosen to prepare matter for a conference with the lords and a charge against Strafford. Until the charge had been prepared it was unusual to approach the upper house with a demand for the arrest of the accused. But the commons felt so keenly the danger of leaving their enemy at large that, in spite of Falkland's remonstrance, Pym was entrusted with a message to the lords asking that the earl, as one accused of high treason, might be sequestered from the house and imprisoned immediately.[3] The lords complied with the message, and Strafford, without being allowed to speak, was handed over to Maxwell, the usher of the black rod, and taken out of the house. The commons could then mature their charges in safety.

Pym who had obtained knowledge of Strafford's words in the privy council respecting the Irish army,[4] procured an order from the lords authorising the examination of privy councillors upon oath, an order without parallel in the history of parliamentary impeachments. The preliminary charge in seven articles declared that Thomas Earl of Strafford had traitorously endeavoured to subvert the fundamental laws and government of the realms of England and Ireland, and instead thereof to introduce an arbitrary and tyrannical government against law, which he hath declared by traitorous words, counsels, and actions, and by giving his majesty advice by force of arms to compel his loyal subjects to submit thereunto.[5] Although the term "fundamental laws," then used for the first time in a parliamentary proceeding,

[1] Whitaker, *Life of Radcliffe*, p. 218.
[2] Rushworth, *Strafford's Trial*, p. 2; Laud, *Works*, iii., 295.
[3] Clarendon, *History*, iii., 8.
[4] See p. 219. [5] *Lords' Journals*, iv., 97.

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CHAP. XI.

never was and never could be defined with legal accuracy, these words expressed the belief of the majority that Strafford had sought to make the king absolute. Thinking thus, they inferred that it was both just and expedient to punish him with the utmost rigour. The other charges of converting the king's money to his own use, trying to enlist papists in support of his political schemes, and so forth, were by comparison trivial. The charges were carried up to the lords on November 25 and Strafford was committed to the Tower on the same day.

The commons then assailed the other advisers of the crown whom they regarded as Strafford's accomplices in the conspiracy against freedom and the protestant religion. Windebank, the secretary of state, a catholic at heart, had not only counselled arbitrary measures, but had gladly carried out the king's policy of protecting catholic priests. When the house called upon him to explain his conduct, Windebank fled to France, where letters from Henrietta Maria ensured him a hospitable reception. Charles declared that he would not allow the parliament to punish his servants, but he could not withhold the commons from inquiring into the actions of the lord keeper, Finch. On December 7 Hyde moved that the judges who had taken part in hearing Hampden's case should be asked to say what solicitations they had undergone. Finch having been incriminated in the report of their answers, Falkland moved that a charge should be drawn against the lord keeper. He asked to be heard in the house and defended himself ably, but could not avert a vote for his impeachment on a charge of treason, whereupon he fled to Holland. The commons had already resolved to impeach Archbishop Laud. On December 18 the lords sequestered him from parliament and committed him to Maxwell's custody.[1]

Parallel with the attack upon the king's advisers went the redressing of popular grievances. The victims of the Star Chamber, Burton, Bastwick, Prynne, Lilburne, and Leighton, were set free by order of parliament and entered London in triumph. Monopolies were denounced, and it was ordered that members concerned in them should be debarred from sitting in the house. It was resolved that ship-money was an unlawful tax, and that the judges who had given a contrary judgment had broken the

[1] Rushworth, iv., 123.

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CHAP. XI.

law. The canons lately passed by convocation and the "etcetera oath" were declared illegal. Catholic officers were to be dismissed from the army and the laws against recusants were to be rigorously enforced. In order to remedy the grievance which was the root of all the rest, Strode brought in a bill for annual parliaments. It did no more than reaffirm two medieval statutes and the medieval practice down to the Wars of the Roses. It therefore passed the second reading and was referred to a committee. But there were solid reasons against calling a new parliament every year, and such a measure would have been resisted, probably by the lords, certainly by the king. Strode's bill was therefore transformed in committee into a triennial bill.

The political principles of the king and of the houses could never have been harmonised, but here the king stood almost alone, the nation was with the parliament and therefore the king would have to submit. Upon ecclesiastical questions the majority of the house of commons at least was equally adverse to the king, but here the nation was far more deeply divided, and the king was far more likely to find the means of resistance. That conflict which began with the reformation, the conflict of private judgment against ecclesiastical authority, was still in progress. Hardly any one desired full freedom of conscience, but men were not agreed as to where coercive power should reside or as to how it should be exercised. The bishops and the puritan ministers alike wished to keep such power in the hands of the clergy, while lawyers and politicians very generally thought that it should be retained by the state, although they might dispute how far the king and how far the parliament should wield the state's authority. What might be tolerated, and what must be suppressed, was a further question on which the utmost diversity of opinion prevailed.

Nearly the whole nation disapproved of the way in which Laud and his brethren had exercised their power. When the parliament met, most people were ready to limit episcopal jurisdiction, but they were not opposed to episcopacy in itself, still less to the received form of public worship. They were guided by no logical theory, but by the English distrust of extreme courses. A part of the public went further and wished to deprive the clergy of all temporal power. Here political

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CHAP. XI.

precaution came in aid of dislike to the bishops. In the house of lords, then a small assembly, the votes of the bishops, one-fifth of the whole, were invariably cast for the crown, and, as the crown appointed the bishops, there was little hope of any change in this respect. But this opinion involved no judgment on episcopacy as a mode of Church government and no enmity to the Book of Common Prayer. There was, however, a presbyterian party in the strict sense of that term, which regarded episcopacy as contrary to the Word of God and found fault with the Book of Common Prayer, preferring a form of worship like that of Scotland or Geneva. This party was numerous in the middle class, especially among those engaged in industry and commerce, and was accordingly powerful in London and other large towns, but it was a small minority of the nation. It was highly intolerant, especially of catholicism, and it looked for support to the Scots, with whom it was in full sympathy. Lastly, there remained a party, still weak and obscure, which disliked all general systems of Church government and demanded freedom for every congregation of Christian men, the party known as Brownists or independents. This party was hostile to the bishops, by whom it had been persecuted and it regarded the Roman catholics as dangerous to the state; but it was inclined to toleration by its first principles and still more by the circumstance that it was weak and condemned as schismatic and lawless by all other parties.

The parliament itself was far from sharing the fierce doctrinal zeal of the Scottish parliament and general assembly. It wished to deprive the clergy of that power in political affairs which they had gained through the king's favour and to secure the ordinary puritan from annoyance, but it did not wish to carry reform much further.[1] From its first assembling it received many petitions complaining of the recent canons, of the increase in idle ceremonies, of the neglect shown for the Lord's day, and of other puritan grievances, and demanding reformation. Far more noteworthy was a petition signed by some 15,000 Londoners and presented to the house in December, which called for the total abolition of episcopacy, the policy

[1] Dr. W. A. Shaw, in his *English Church during the Civil Wars and under the Commonwealth*, vol. i., ch. i., throws much light on the feeling in parliament and the country with respect to ecclesiastical matters.

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CHAP. XI.

afterwards known as "root and branch".[1] There followed a long debate as to whether the petition should be referred to a committee, the first debate which betrayed any serious difference among the commons. At length, without expressing any opinion on the prayer of the petition, they agreed to make the reference. Many other petitions for change in the Church were received in the following weeks, but the house, being fully occupied with secular business and perhaps dimly conscious of the danger of dissension, was slow to enter upon ecclesiastical affairs.

The parliament had also to consider what should be done with the three armies then on foot; the Irish which it regarded as hostile, the Scottish which it regarded as friendly, and the English which it hardly knew whether to regard as friendly or hostile. A committee of the commons on the Irish army proposed a joint petition of the houses for the disbandment of this dangerous force, and the commons decided to ask the lords for a conference on the subject. English and Scottish commissioners were negotiating a definitive treaty of peace, and the Scots demanded that England, besides maintaining their army in the north, should bear a large part of the expenses of the recent campaign. Although they were not popular, the commons, who feared their withdrawal, agreed to grant them "a brotherly assistance," afterwards fixed at £300,000. The English army was also costly. With these expenses and with all his unlawful sources of revenue dried up, the king was in the utmost poverty. The house, ready to relieve him in such a manner as should not enable him to ignore its wishes, voted four subsidies in the course of December, and returned to the consideration of the king's revenue after Christmas, when it learned that no balance sheet had been made out for any year after 1635, and was thus obliged to wait for fuller information.

Since the meeting of parliament the king had found himself reduced from almost absolute power to merely nominal authority. Already he began to look abroad for support, and hoped to secure Dutch aid by marrying his daughter Mary to William, son of Frederick Henry, Prince of Orange, whose great talents and services gave him almost kingly power in that republic.

[1] Rushworth, iv., 93.

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CHAP. XI.

Henrietta Maria was still importuning the pope for armed assistance against English heretics. Charles showed a complying temper in some particulars. He announced that the judges should henceforward hold office during good behaviour and not during pleasure. He gave the place of solicitor-general to St. John, one of the fiercest enemies of prerogative government, but he still hoped to preserve his regal power undiminished. In January, 1641, he summoned the houses to Whitehall, and while professing his readiness that all matters of religion and government should be reduced to what they were in the purest times of Queen Elizabeth, he warned them that he would never allow the bishops to be removed from the house of lords, or forego the prerogative of summoning parliaments as he thought proper. Notwithstanding this declaration the bill to regulate the meeting of parliament passed the lords, and, along with a subsidy bill, was tendered for the king's acceptance on February 15. On the following day, seeing no other course open, he gave his assent.

The triennial act of 1641 must be carefully distinguished from the triennial act of 1694. Its purport was not to limit the life of a parliament to three years, but to insure that the interval between two sessions of parliament should never exceed that period. It provided that, in case three years should have elapsed since a dissolution or prorogation, the lord chancellor or lord keeper should, without awaiting any direction from the king, issue the writs for the meeting of a new parliament. If he forbore to do so, he was to be incapable of holding his office and liable to such punishment as the next parliament should inflict. In his default, the peers were enjoined to meet at Westminster and to issue the writs. Should the peers fail to issue the writs, each individual peer was required none the less to attend parliament. The sheriffs were required to hold the elections of members of the house of commons in the same manner as though they had received the usual writs for that purpose, and the persons thus chosen were required to meet within a certain time. In the default of the sheriffs the freeholders of every county and the burgesses of every borough were to assemble of their own motion and to elect their representatives. Any neglect to carry out these provisions and any attempt to interfere with the elections held under them were

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CHAP. XI.

to be severely punishable. No parliament henceforward was to be dissolved or prorogued within fifty days after its meeting without the assent of both houses, nor was either house to be adjourned without its own assent. As a final security, this statute was to be solemnly read once a year at quarter sessions and at the assizes. Thus every possible precaution was taken against the unwillingness of the sovereign to meet parliament. The act was necessary if parliament was not to fall into desuetude, but it made a revolution and it showed in every line a profound distrust of the king.[1]

The articles of impeachment against Strafford had been completed and sent up to the lords by the end of January. In spite of the displeasure of the commons, who feared the prisoner too much to be just or reasonable, the lords allowed him more than three weeks to prepare his answer to the articles. On February 24 Strafford was brought to Westminster to put in his answer. Nearly a month more elapsed before the actual trial began on March 22. Not in the memory of living man had there been known a trial so momentous, for Bacon and Middlesex had been charged only with breaches of common duty in their several offices, not with any endeavour to subvert the laws or change the constitution of England. In Strafford's person the king himself was impeached, for, in spite of reverential forms, everybody knew that the acts charged against Strafford had been done to enlarge the king's power and with the king's approval. The danger feared by the king if he should allow Strafford's condemnation, and the danger feared by the whole party of reform if they should fail to secure it, made the trial a political conflict, a mortal struggle between the two highest powers in the commonwealth. Westminster hall alone could suffice for such a trial. It had been fitted with seats for the lords who were to try and for the commons who were to accuse; for the judges and for other persons whose assistance might be needed; and for the spectators, who came in great numbers. A throne had been set for the king, but he preferred to occupy a box provided for the queen, where he could watch the proceedings without being formally considered present.

The case against Strafford was opened by Pym. Its

[1] 16 Car. I., ch. i.

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weakness lay in the attempt to construct a charge of treason out of a multitude of acts which were not treasonable according to the law as then understood. With regard to Strafford's administration of Ireland it was easy to prove instances of overweening contempt for law, but such acts though they might be grave misdemeanours, could not be construed as treason. With regard to England the accusers were forced to rely upon the language imputed to Strafford in the privy council after the dissolution of the last parliament. They had come to know of this language through the younger Vane who had made a copy of notes taken by his father Sir Henry, the secretary, according to which Strafford had told the king that "he was to do everything that power would admit," and that "he had an army in Ireland which he might employ to reduce this kingdom". They construed these words as advice to the king to use the Irish army in keeping down England, and they founded on the words thus understood a charge of levying war against the crown distinguishing, as we should do, the crown in its technical, from the crown in its natural sense. But here they encountered a threefold difficulty. In order to prove an overt act of treason two witnesses were necessary. The only available proof in the first instance was to be found in the copied notes shown to Pym by the younger Vane who was not a member of the council. His father's original notes had been destroyed in obedience to an order from the king. When the commons had carried their point that privy councillors might be questioned as to what they had said in council, the elder Vane testified to the words, but he was only one witness.

Secondly, the meaning of the words had to be ascertained. What kingdom was meant by "this kingdom"? As Charles was then considering how to carry on the war against the Scots, "this kingdom" might as well be Scotland as England, and since Scotland was an independent state, this construction would be fatal to the purpose of the accusers. Vane would not take upon himself to say which kingdom was meant. Strafford denied the suggestion of bringing the Irish army to England. Of the remaining privy councillors who had been present when Strafford spoke, all who could be heard, for Laud and Windebank were disqualified as lying themselves under impeachment, testified that they could not remember any proposal by Strafford

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CHAP. XI.

such as was now alleged. Thus it seemed impossible to prove that the words had been used in the sense required by the impeachment.

Lastly, there was the difficulty of showing that the words, even if spoken in that sense, amounted to treason. The law of England knew only of treason against the king and while he remained the real head of the state, the distinction now so familiar between the king in his personal, and the king in his public capacity, was difficult, if not impossible, and had never been clearly made. The law of treason had been stretched and perverted by servile judges in a thousand ways, but always in order to strengthen the living, personal king. When parliament in the fourteenth and fifteenth centuries had brought charges of treason against ministers whose real fault was that, like Strafford, they were believed to exert a malign influence over the reigning king, it had generally, at whatever cost to truth, charged them with acts of treason in the legal and literal sense. To give bad advice to the king, to advise him to break the law or to use an army in slaughtering innocent subjects, might well be wicked, might even at law be a misdemeanour, for privy councillors were always acknowledged to be accountable for advice given to the king; but in that age it could hardly be brought within the received doctrine of treason. The treason charged against Strafford was really treason against the nation.

Strafford reminded his judges that, if he were condemned, no peer could henceforth be safe in advising the king. Labouring, as all accused persons then did, under grave disadvantages and confronted with the best talent of the house of commons, he made a masterly defence. In the oft-quoted words of Whitelocke, who had acted as chairman of the committee for preparing the articles against Strafford: "Certainly never any man acted such a part on such a theatre with more wisdom, constancy, and eloquence, with greater reason, judgment and temper, and with a better grace in all his words and gestures, than this great and excellent person did, and he moved the hearts of all his auditors (some few excepted) to remorse and pity".[1] As the days passed the lords seemed more favourable towards the prisoner, while the commons became more im-

[1] Whitelocke, *Memorials*, p. 44.

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CHAP. XI.

patient, until at length the houses were almost at variance, and on April 10 the lords rose without naming a day on which to resume the hearing of the impeachment. Strafford himself felt hopeful, but things had happened elsewhere which redoubled in the commons their distrust of the king and their resolution to put parliament at all costs beyond the reach of danger.

The English army in the north was in a bad temper. It had earned nothing but disgrace in the brief campaign of 1640, and it was neglected by the house of commons in contrast with the Scottish army which had to be kept in good humour. Several officers who were also members of parliament, Ashburnham, Pollard, Wilmot, and Henry Percy, brother of the Earl of Northumberland, agreed that they would canvass their comrades to sign a declaration promising to stand by the king, if the parliament pressed him too far. They also empowered Percy to promise him the support of the army in that event. Independently of these officers, Sir John Suckling, a courtier who is still remembered for the airy grace of his poems, and Henry Jermyn, the peculiar favourite of Henrietta Maria, devised a scheme for getting control of the army. As it was known that the Earl of Northumberland would gladly resign, they proposed that the Earl of Newcastle should succeed him as general and bring the army to London to assert the king's cause. For lieutenant-general they chose Colonel George Goring, who was well known to the queen, and had lately been appointed governor of Portsmouth. They imparted their plot to the queen who made it known to the king. In the course of Strafford's trial the king, becoming impatient to regain the control of affairs, accepted Percy's offer of help from the army, but bade him confer with Suckling on a combination of the two projects. Percy and his friends would not hear of an immediate march on London nor of the appointment of Newcastle and Goring. Goring, thus baffled of his ambition and void of scruple, revealed the secret to the parliamentary leaders. As he had asked that his part in the matter should not be made known, they said nothing in public; but they were fully aware of the danger in which they stood and all the more resolute to push Strafford's impeachment to the uttermost. The grim apophthegm of the Earl of Essex, "Stone dead hath no fellow," only put into words what the majority of the commons felt in their hearts.

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CHAP. XI.

After the proceedings in Westminster hall on the 10th, the fiercest enemies of Strafford, the "inflexible" party, so-called, could no longer stomach the delays of the impeachment or the chance that the prisoner might escape after all. They resolved to copy a Tudor precedent and to proceed against him by bill of attainder. Doubts of law and defects of evidence would thus be cured, but at the cost of dropping all semblance of judicial procedure.[1] Pym and Hampden did not approve this course, but influential as they were, they did not lead the house in the modern acceptation of that term. The bill was read a first time that very day. Displeased at an attempt to remove out of their court a case already pending there, the lords made known that they would go on with the trial and deliver judgment in due course. The commons replied that they meant, notwithstanding, to proceed with the bill of attainder. They were not, however, united, for Pym and Hampden urged that they were bound in honour to prosecute the impeachment. The house therefore consented to attend in Westminster hall and hear the arguments of Strafford's counsel on the point of law, but would yield nothing further. On April 21 the third reading of the bill of attainder was carried by 204 votes to 59, a large relative majority, but less than one-half of the entire house. Selden, the calmest and most judicial, and Digby, hitherto among the most eager of the reformers, voted in the minority. It is remarkable that not only Pym, who despaired of keeping the commons to the impeachment, but Falkland, one of the most candid and scrupulous men in parliament, or indeed in the country, should have voted for the attainder.

In the house of lords the action of the commons had given general offence and a majority of peers led by Bristol wished to spare Strafford's life. But the king did nothing to inspirit them or to disarm suspicion, while the city lent its weight to the lower house, sending up a petition with 20,000 names annexed for Strafford's execution. At length the commons persuaded the lords to consider the bill of attainder, by promising to reply to the arguments of Strafford's counsel as directed to the question whether the bill ought to pass, not to the decision on the im-

[1] Gardiner (ch. xcviii.) thinks that Hazlerigg and Marten were among the prime movers of the bill of attainder.

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peachment. On the 27th the bill was read a second time in the upper house. At this critical moment all that the king and queen did or said was hurtful to the prisoner. Charles spoke of going down to Yorkshire to take command of the army. He told the parliament that he would not disband the Irish army until the English and Scottish armies had been disbanded. He thought of taking refuge with the queen at Portsmouth, rallying all the forces which could be trusted, and dissolving the parliament. No secrets could be kept at Whitehall, and every rumour found ready credence with a public which lived in habitual dread of popish conspiracy and saw in a papist queen the natural promoter of every reckless design.

After the second reading came the legal arguments on the bill of attainder. St. John, the solicitor-general, spoke for the commons with a rancour more easy to understand than to excuse. "We give law," he said, "to hares and deer because they be beasts of chase; it was never accounted either cruelty or foul play to knock foxes and wolves on the head as they can be found, because they be beasts of prey."[1] Bristol advised Charles to save Strafford, if it were possible, by promising never to employ him again. On May 1, accordingly, Charles summoned the houses to his presence and assured them that no one had ever advised him to bring over the Irish army or to change the laws of England, or had asserted in his presence the disloyalty of his English subjects. He had resolved that Strafford was unfit to serve him even in the office of a constable, and he hoped that a way might be found to satisfy justice without pressing on his conscience. "Certainly," the king added, "he that thinks him guilty of high treason in his conscience may condemn him of misdemeanour." Thus to interpose when a bill was under discussion was unusual and unwise, for it would probably displease the lords and would certainly anger the commons. Almost immediately afterwards Charles tried to regain command of the Tower by introducing a hundred trusty men, but the lieutenant, Sir William Balfour, a staunch Scot, refused to let them enter, and warned the parliamentary leaders.

In the city popular passion broke loose from all control and

[1] Rushworth, *Strafford's Trial*, p. 703.

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CHAP. XI.

a mob, not merely of the lowest class, came down to Westminster and beset the parliament, clamouring for justice and for Strafford's head. The names of the members of the house of commons who had voted against the bill of attainder were posted up at Westminster under the title of "Straffordians, betrayers of their country". Pym declared that the king's interference was a breach of privilege, and moved for a committee to draw up a protestation binding the members to defend the protestant religion, the king's person, the privileges of parliament, and the liberties of the subject. His motion was carried and the protestation was taken, not only by the commons but by all the protestant lords, after which the clergy and citizens of London were invited to give their signatures.[1] At the same time the lords inquired into the attempt on the Tower and ordered a reinforcement of the garrison. Pym told the commons what he had learnt of the plot to bring the army up to London, whereupon the commons asked the lords to hold an inquiry and to join in a petition to the king that all persons attending the court should be hindered from quitting England. The lords agreed to both requests and the king gave the desired orders. Then came the news that several of the ringleaders in the plot had fled to France the night before they should have been examined by the lords. On May 8 the lords read the bill of attainder a third time by 26 votes to 19. Many peers absented themselves, whether in fear of violence or in despair at the treachery of the court, and some may have voted in the majority for no better reason. The lords also passed a bill sent up by the commons, enacting that the parliament should not be dissolved without its own consent.

In a letter of singular dignity and pathos[2] Strafford had besought the king to accept the bill of attainder in order to prevent worse consequences. Twice it was pressed on his acceptance by deputations from the house of lords and yet a third time by both houses, while outside Whitehall the tumult swelled and the ways were beset with an angry throng, some of them in arms. Next morning the bewildered king summoned his council, who urged submission. He consulted the judges who declared that they held Strafford guilty of treason.

[1] *Lords' Journals*, iv., 234.
[2] Rushworth, *Strafford's Trial*, p. 743.

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He appealed to the bishops who gave different opinions. At nine in the evening he bent to his hard fate. "If my own person only were in danger, I would gladly venture it to save Lord Strafford's life; but seeing my wife, children, and all my kingdom are concerned in it, I am forced to give way to it." On the following day he signed a commission empowering his assent to be given to the bill of attainder[1] and the bill forbidding a dissolution of the parliament.[2] "My lord of Strafford's condition," he added, "is more happy than mine." He made yet a last appeal to the houses to spare Strafford, but he had by his own acts killed the confidence which might have aided his entreaty. CHAP. XI.

Strafford learned with a natural pang that his master had in truth accepted his magnanimous proffer of life. "Put not your trust in princes," he exclaimed, "nor in the sons of men, for in them there is no salvation." The execution was appointed for May 12. Finding that he could not see Laud without an order from the parliament, he would not trouble them but sent a message begging the archbishop to be at the window on that morning and to give him the last blessing. As Strafford passed to his doom he looked up, and saw Laud's hands raised in benediction. He died proud and unshaken. An honest mind revolts from forced interpretations of the law and the clamour of the crowd as means of bringing a dangerous man to the scaffold, but Strafford's fate would inspire more compassion could we forget his own readiness to use violence and his own contempt for equity. Possessed of high executive talent, he wanted the temper and insight of the true statesman, and despite a certain magnificence of character he was thoroughly unscrupulous and tyrannical. Charles was pursued to the end by remorse for his part in Strafford's death, and the infinite degradation of his surrender must have envenomed his hatred of the parliamentary leaders. Nor could they as rational men fail to surmise what he felt and take their measures accordingly.

Upon the necessity of preventing any return to personal government both houses were still agreed. Within the four months between Strafford's execution and the rising of parliament, all the extraordinary courts of justice set up by the

[1] For the text of the act of attainder, see Rushworth, iv., 262.

[2] 16 Car. I., ch. vii.

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CHAP. XI.

Tudors were abolished, and all the irregular ways of levying money practised by them or by the Stuarts, save such as already stood prohibited in the Petition of Right, were forbidden by statute. A bill especially promoted by Hyde dissolved the court of star chamber, the court of the council of the north, and the court of the council of Wales, thus reducing the whole kingdom to the uniform jurisdiction of the courts of common law.[1] All who had taken part in the collection of customs or impositions without parliamentary grant were voted delinquents, but were suffered to compound for their offence by paying £150,000. The tonnage and poundage act declared the taking of all such duties without consent of parliament illegal and punishable, and then granted them to the king, not for life nor for a term of years, but only until July 15 next ensuing.[2] Selden had the honour of introducing three bills which declared ship-money, the distraint of knighthood, and the enlargement of the forests respectively to be unlawful.[3] All passed through both houses without demur and Charles had no choice but to accept them.

It might seem that the English constitution had been brought almost to its modern form. The king had been divested as thoroughly as laws could do it of all power to tax or to put constraint on the subject by means of any arbitrary jurisdiction. He could not defer meeting parliament more than three years and he could hardly hope to do without its help so long. Parliamentary criticism of the government would be certain, regular, and full. In choosing his ministers the king would have to consider before everything else the wishes of parliament, and by an easy transition parliament would gain a virtual power of choice. Such a system might well be beneficial, but it was possible only on condition that the king and the parliament should accept it without reserve and work together with unfeigned good-will. Charles, whose authority had been much ampler and who firmly believed that no restraint upon his authority was binding longer than he thought it expedient, was not likely to practise so much self-denial. Changes of this sort can seldom be effected without a change of the sovereign or even of the dynasty. Still the king might have submitted to

[1] 17 Car. I., ch. x. [2] 16 Car. I., ch. viii.
[3] 17 Car. I., ch. xiv., xvi. and xx. respectively.

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political restraints enforced by an almost unanimous people, had he not been opposed to the majority of the commons on the question of Church government and ceremonies, where he had a far better chance of making friends and adherents. CHAP. XI.

Since the presenting of the root and branch petition in December, other petitions for reform in the Church had crowded upon the commons, notably the ministers' petition and remonstrance, signed by 700 or 800 clergymen, complaining of the errors in the Prayer Book, the growth of ceremonies, and the abuse of power by the bishops, but not demanding the suppression of their office. On the question of referring these petitions to a committee there arose a debate which lasted over February 8 and 9 and revealed more fully the difference of opinion in the house of commons. Almost all the speakers blamed the bishops for the manner in which they had exercised their authority and were ready to divest them of secular functions. But some able men and zealous reformers such as Culpepper, Digby, and Falkland avowed their attachment to "primitive" episcopacy.[1] In March the committee brought up its report and the house resolved that the employment of clergymen in temporal offices was a hindrance to the discharge of their spiritual function and prejudicial to the commonwealth.[2] A bill to remove the bishops from the house of lords was introduced on the 30th, and after long delays caused by Strafford's trial, was read a third time at the end of May. The lords were willing to deprive the bishops of their voices in the Star Chamber but not of their seats in the upper house. A conference with the commons left them unchanged and they threw out the bill in the beginning of June.[3] Their resistance had only heightened the zeal of the commons. There on May 27 a bill was introduced to abolish episcopal government altogether. It probably had its origin with two men who were gradually rising to influence, although their religious opinions were not those of the majority, the younger Vane and Oliver Cromwell; but the first reading was moved by Sir Edward Dering, a man now wholly forgotten.

In the discussion of this bill the rift between parties in the

[1] That is, episcopacy as it had existed in the primitive Church, when the power of the bishop was supposed to have been less than in later times.

[2] *Commons' Journals*, ii., 110. [3] *Lords' Journals*, iv., 269.

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CHAP. XI.

house grew wider and deeper, although the difference was hardly one of principle. Few of the leaders regarded episcopacy as either ordained or condemned by God. On the one side Pym and Hampden, who had no objection to a reformed and limited episcopacy, supported the bill, partly perhaps in the exasperation of the recent check, but more from the feeling that the bishops were all on the side of the prerogative and would be the most effective agents of that reaction which caused them a perpetual haunting fear. On the other side Selden who resisted the bill has observed in his *Table Talk*, "They are equally mad who say that bishops are so *jure divino* that they must be continued; and they who say, they are so antichristian that they must be put away. All is as the state wills." Selden preferred episcopacy to presbytery because he thought it more favourable to learning and somewhat less hostile to freedom of thought. Even men like Culpepper, Hyde, and Falkland, who resisted the bill with more warmth than Selden, would not have said that episcopacy was the only lawful government and certainly did not spare the faults of the actual bishops. The second reading was carried by 139 votes to 108, but the debates in committee were long and strenuous. It was resolved that the bill should include the suppression of deans and chapters and of the ecclesiastical courts. At the same time few wished to set up such a presbyterian system as prevailed in Scotland. Vane proposed to vest jurisdiction in a body of commissioners, partly clerical, partly lay, and the house resolved that all the commissioners should be laymen. In July the house was recalled to the cares of this world by the king's resolution to visit Scotland, so that the bill never emerged from the commons.

The lords approached the question of Church government in a more conservative spirit. On March 1 they appointed a committee for religion empowering it to consult such learned divines as it thought proper. Williams, who had regained his freedom soon after the meeting of parliament, was the presiding member. To this committee different schemes of Church government were submitted, the best known being Archbishop Ussher's model, in which power was given to synods of the diocese and province, with the bishop and archbishop respectively as presidents. Williams himself had a plan by which every

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CHAP. XI.

bishop was to act with twelve assistants, four chosen by the king, four by the lords, and four by the commons. A bill on this principle was brought into the lords, read twice, and allowed to drop. None of these mixed forms of Church government caught the public ear or kindled enthusiasm. The authority of bishops remained legally the same until it was swept away altogether.

Although the differences respecting Church government could not be reconciled, men were generally agreed as to the necessity of restraining the Church courts. A bill to abolish the court of high commission was brought into the house of commons on June 8. No new court of that description was to be erected in future. No ecclesiastical judge was thenceforward to inflict any pains or penalties on any of the king's subjects or administer any oath whereby they might be required to accuse themselves.[1] The bill passed smoothly through both houses and was unwillingly accepted by the king. It was a memorable protest against the medieval conceptions of a Church enforcing its laws by punishment and of a state putting its powers at the disposal of the Church, conceptions still upheld by a majority of the puritans. The houses also busied themselves with removing what they held to be superstitious innovations, ordered the communion-table to be set in the middle of the churches, and sent commissioners into the shires to remove images, pictures, ornaments, and relics of idolatry. A bill to end the ancient grievance of pluralities was introduced into the commons in February, 1641, but was baffled by the frequent interruptions of the time. Efforts were made to enforce what the puritans considered the proper observance of Sunday. Through its committees for scandalous ministers and for deprived ministers the house of commons was sedulous in punishing those whom it regarded as offenders and granting reparation to those whom it regarded as victims. Gradually the parliament came to make itself the direct ruler in the Church as well as in the State, and mainly for the same reason that those to whom the government had hitherto belonged were its enemies. By its Church policy more than by any other part of its conduct it helped to recruit a following for the sovereign.

[1] 17 Car. I., ch. xi.

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CHAP. XI.

The king, instead of cherishing the first elements of this party, had many projects of his own. The Scots desired union of religion and freedom of trade with England, and the English desired neither. Dissension was growing among the covenanters themselves. Moved partly by jealousy of Argyle, partly by a belief that for the good of the nation the crown ought to retain some power, Montrose besought Charles to come among his Scottish subjects and win their loyalty by granting them the free exercise of their religion and by calling frequent parliaments. Hoping to set the Scots against the English and augment the discord of the covenanters, the king meditated a visit to Scotland. Having rashly declared that to his knowledge Argyle had planned the king's deposition, Montrose with some of his friends was imprisoned in Edinburgh Castle, a token that Argyle's supremacy was not to be lightly shaken. Nevertheless the king persevered in his design. At the same time the queen was trying to get help from Rome by promises of freedom for English catholics. She also desired to leave England and take, it was said, the crown jewels along with her. In their alarm the commons raised so many difficulties that she was forced to remain. She still had hopes of the English army. A paper was to be circulated among the soldiers, thanking the king for all that he had granted to his parliament and offering to defend him against unreasonable demands and popular violence. Daniel O'Neill, an active and intelligent officer, was sent to try whether the generals would march southwards if they were assured of the Scots remaining neutral. But the generals were unwilling to run such a risk, and O'Neill himself fled to the continent on a summons to appear before a committee of the commons for examination as to his part in the first army plot. Like the first plot the second served only to arouse new suspicions against the king.

Suspicion prompted Pym to draft and the commons to adopt ten propositions for the settlement of the kingdom. They included the disbandment of the armies, the delay of the king's journey to Scotland, the removal of counsellors who had furthered measures contrary to religion, liberty, and good government, the banishing of priests and recusants from court, and the placing of safe persons about the king's children. To come into the realm as a papal envoy was to be declared treason.

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CHAP. XI.

The militia was to be put into safe hands.[1] A general pardon was to be made out, and a joint committee of the houses was to confer from time to time for the public good. These bold propositions were adopted with little change by the lords, a proof of the extreme distrust which they felt for the king. Charles agreed to the disbandment of the armies and the expulsion of Rossetti, and, although he would give no promise, delayed awhile his journey to Scotland. He continued to accept the bills sent up by the houses. In return, parliament prolonged the grant of tonnage and poundage, but only until August 10, the day fixed for the king's departure. At the same time it repeated the demand that the king should discard his evil counsellors. The commons impeached Judge Berkeley of treason and five other judges of misdemeanour for their part in the judgment regarding ship-money. They impeached thirteen bishops for having taken part in enacting the canons already condemned. One of the number, Wren, Bishop of Norwich, was impeached on a separate charge, for the adoption of unlawful ceremonies and for severities against the puritans. Charles was so eager to go northwards that he offered no resistance. Already he had agreed with the Scotch commissioners that in return for his consent to recent changes in Scotland the Scots would help in restoring him to his full authority.

On the appointed day Charles left London for Edinburgh. Soon afterwards the English army was disbanded and the Scottish army recrossed the Tweed. The commons were still so uneasy that they appointed a committee of defence to consider who should be entrusted with the command of the militia. At the same time they made a memorable precedent. On pretence of giving full effect to the treaty of peace with Scotland, the houses had resolved to send with the king commissioners who should keep a watch on all his actions. The lords chose the Earl of Bedford and Lord Howard of Escrick; the commons chose Armyn, Fiennes, Hampden, and Sir Philip Stapleton. When the lord keeper, Littleton, declined to affix the great seal to their commission, Sir Simonds d'Ewes, a legal antiquary, assured his colleagues that an ordinance of parliament had always carried great authority. Thereupon the com-

[1] Rushworth, iv., 298.

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CHAP. XI.

mons adopted an ordinance empowering the persons named to attend his majesty in Scotland. The lords assented, and thus the first ordinance of the long parliament was passed on August 20. D'Ewes was mistaken in his learning. The ordinances to which he referred were enactments of the king in council, although often made on the petition of the houses. The new ordinances were enactments of the houses without confirmation by the king.

At this time a reaction in favour of Charles was spreading through England. Abuses once removed are soon forgotten. The people give their hearts more willingly to one man than to an assembly, and reverence for the monarch was a profound tradition with Englishmen. The northern counties had been exasperated by the Scottish occupation and the whole kingdom resented the heavy pressure of taxes, for within less than a year the parliament had voted six subsidies and a poll tax, a total of £800,000. The constant meddling of the puritans with the habits and amusements of their neighbours offended hundreds of thousands who neither knew nor cared about the arguments for and against ceremonies or episcopal authority. The multitude is always fickle. That it had once been angry with the king and the bishops was alone a reason why it should in turn be somewhat weary of the parliament. But events which none foresaw soon dispelled this languor, renewed all the old distrust of the king, and gave treble energy and resolution to his opponents.

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CHAPTER XII.

THE PRELIMINARIES OF THE CIVIL WAR.

CHARLES used every endeavour to gain popular feeling in Scotland and accepted all the bills presented to him on behalf of parliament. His arts were unavailing against the shrewdness of his Scotch subjects. The army returning from the south was disbanded and all hope of using it against England was lost. Argyle required that no office should be filled without the approval of parliament where he commanded a majority. Among his own order, indeed, the earl was unpopular. A fierce and headstrong aristocracy could not stomach the domination of a single nobleman, resting upon an alliance with the ministers and the common people. Hamilton, whose rank and wealth marked him out as a natural counterpoise to Argyle, bent to the force of circumstances and, as Charles bitterly said, "was very active in his own preservation". But there were bolder spirits, notably Montrose, who still chafed in prison. Thrice he wrote to Charles, promising to reveal what concerned his crown and dignity. The third letter which denounced Hamilton as a traitor Charles laid before Loudoun, the chancellor, and Argyle.

The Earl of Crawford, a catholic who had fought for his religion in the thirty years' war, formed a plan for seizing Argyle and Hamilton, and carrying them off by sea to some secure hold. Should they resist or should their friends attempt a rescue, it might be necessary to kill them. The plot was made known to Leslie, who warned Hamilton and Argyle. Argyle informed the king and the parliament resolved to inquire into the matter. The king proceeded to the parliament house with an armed train, among them several enemies of Argyle and Hamilton, who thereupon professed themselves in danger and fled to Kineill Castle. Charles demanded that

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CHAP. XII.

Hamilton should be sequestered from the parliament until the charges against him had been examined, but the parliament cared only to inquire into the plot for seizing him and Argyle.[1] This affair became known as the Incident. Seeing that he had failed to achieve the object of his visit to Scotland, the king sought no more than an honourable retreat. Argyle came back to Edinburgh and to supreme power, and in return the Incident was buried in oblivion. Montrose and other malcontents were set at liberty. The king raised Argyle to the rank of marquis, and Hamilton to the rank of duke, and created Leslie Earl of Leven. Then, with outward cordiality and inward mistrust on both sides, he left his Scottish subjects for England, where his presence was urgently required.

During the recess England became more and more unsettled. The disbanded soldiers, thrown loose upon the world, as was then the custom, had often turned vagrants and robbers. As the old ecclesiastical coercion had broken down and no new one had yet been organised, there was an interval of religious freedom. Earnest illiterate English people have always been prone to grotesque forms of pietism. At a season when the mind was morbidly fixed upon theological topics, this tendency was redoubled. Some became Antinomians in theory, possibly in practice. Sectaries known as Adamites thought it their duty to worship in the garb of innocence. The cobblers, smiths, and other craftsmen who set up to preach and pray often gave utterance to what seemed blasphemy or madness. Ill-conditioned fellows took on themselves to execute the resolutions of parliament by breaking communion rails, throwing down images, and smashing painted windows. Clergymen who adhered to the former usages in dress and ritual were sometimes mobbed. All who loved the old order were exasperated, and many who had been hostile to Laud and the bishops began to revolt from the new anarchy.

When the houses re-assembled on October 20, letters giving an account of the Incident raised the suspicion that a stroke of the same kind might be contemplated in England, and the commons asked the lords to join in measures for the safety of parliament. The lords assenting, a guard of the Westminster

[1] See Baillie, *Letters and Journals*, i., 392; *Hamilton Papers*, p. 103.

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CHAP. XII.

trainbands was immediately set. Although the root and branch bill was dropped, a new bill excluding the clergy from temporal authority was introduced. It was a sign of the times that Falkland who had supported a former bill to the same effect spoke against this one. Hyde took part with him, but they had not yet many followers, and the bill passed the commons within two days. The lords seemed ready to reject it, partly because they did not like the interference of the lower house with their constitution, partly because they did not relish those changes in the Church to which the bill seemed a prelude. The see of York and four others being vacant at this time, the king appointed Williams to be archbishop, and translated two of the bishops under impeachment to Norwich and Oxford. The commons retorted by asking for a conference with the lords, and fixing on November 1 to discuss a remonstrance to the king which had been proposed some months before and drawn up, but laid aside for more urgent affairs. The evidence which had been taken regarding the second army plot was read to the house. It led men to infer that the king had gone northwards in the hope of finding troops to fight his battles, and every suspicion was envenomed by the terrible news which now came from Ireland.

The causes of the Irish rebellion of 1641 are not hard to find. The Elizabethan conquest of Ireland had been so destructive as to hinder a fresh appeal to arms by the children of the soil, but for that very reason it had left the bitterest memories. The Ulster plantation had given birth to a flourishing colony, but it had wrought the grossest injustice to the native proprietors who, whether they were crowded into the less fertile districts or remained as dependants of the new landlords, brooded over their wrongs and sufferings with that patient spirit of vengeance which distinguishes the Celt. Other and smaller but still exasperating evictions had followed. In a time of deep quiet and without the slightest offence given, Wentworth had planned a large confiscation in the one province where the old Irish race still dwelt undisturbed and had forced it through by the mockery of legal process. Although he had wanted leisure for the actual planting of new proprietors in place of the old, he had taught Irishmen that under the King of England they could never be secure in their patrimony. The

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CHAP. XII.

temper of the English parliament threatened the Irish with a new danger. Should the puritans become masters of England, it seemed certain that they would seriously endeavour to make Ireland protestant.

While Wentworth ruled in Ireland, the discontented were afraid to lift their heads. Sir Christopher Wandesford, who acted as lord deputy on his departure, died in December, 1640. After Strafford's execution Charles made the Earl of Leicester lord lieutenant of Ireland and, pending his arrival, the lords justices, Sir John Borlase and Sir William Parsons, governed Ireland. Catholics and protestants agreed on the one point of disliking Wentworth's system. A committee of the lords and another of the commons negotiated with the king, who, caring far less about Ireland than about Great Britain, yielded much to them in the hope of quiet or possibly of assistance. The Connaught plantation was given up. Various sources of revenue were abandoned. The catholics began to expect a full toleration. Then the army, for the most part catholic, was disbanded, and the English parliament interfered to hinder the King of Spain from enlisting 4,000 of the men. Charles sent directions to the Earls of Ormond and Antrim to rally the disbanded soldiers and seize Dublin Castle in his name and by the authority of the Irish parliament. He designed to win the catholics by a promise of freedom for their religion and make Ireland his stronghold against puritans and parliamentarians. Such a plan could not be disclosed even to the most faithful servants of the crown in England, nor was even a beginning made of execution. But it became manifest that there was really no government in Ireland, while Britain was distracted by quarrels which might at any moment end in civil war. Irishmen might well hope that a general uprising would shake off the foreign sway, regain the lost lands, and insure full freedom for the catholic religion.[1]

As early as February, 1641, the thought of such an uprising had begun to grow. The catholic nobles of the Pale were still loyal. The first leaders of revolt were found among the Celtic aristocracy; Sir Phelim O'Neil, who regarded himself as head of the great house which had so long ruled in Ulster;

[1] See Carte, *Life of Ormond*, i., 105-168; *State Papers*, Ireland, cclx.

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CHAP. XII.

Lord Maguire, who had a personal motive in the debts which weighed on his estate, and Roger More, whose family had lost their lands in Queen's County. They looked abroad for supplies of arms, if not for further help. At that time it was easy to find Irishmen, as well as Scotsmen, who had gained experience and renown under foreign standards, and the conspirators hoped to enlist among others Owen Roe O'Neill, a brilliant officer in the Spanish service. In October a number of priests and laymen met at the Abbey of Multyfarnham in West-meath to discuss the manner of the rebellion. A few days later the unsuspecting lords justices were warned almost by accident. Lord Maguire and Hugh Macmahon with their followers had come into Dublin, intending to seize the castle the next day. One of the band, Owen O'Connolly, was secretly a protestant and contrived to inform the lord justice Parsons, adding, perhaps untruly, that a general massacre of the English in Dublin and elsewhere was part of the plot. The lords justices were almost without means of defence, but danger enforced prompt action. They seized Maguire and Macmahon, and baffled the attempt on Dublin. The parliament was prorogued and a despatch was sent to the Earl of Leicester, who still lingered in England.

There was no means of stopping the rebellion elsewhere. The Irish in Ulster rose at once, stormed the outlying garrisons, and expelled the settlers with their families. Whatever the leaders might wish, they could not restrain a half-barbarous peasantry in whom the hatreds born of race and religion were embittered by the loss of their lands and the insolence of foreign masters. Although there was no general or systematic massacre, there were partial massacres in which women and children perished, as well as men. Simple murder was sometimes heightened by atrocious cruelty. The fugitives who were spared were often stripped of everything they possessed. Left without food, clothing, or shelter, many starved before they could reach a place of refuge. The survivors who made their way to some English fortress were so wasted by famine and hardship that sickness swept them off in great numbers. According to the most critical estimate some four or five thousand may have been actually slaughtered at the outbreak of the rebellion, and twice as many may have perished in ways less

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CHAP. XII.

direct.[1] In the following months also many died either by violence or by prolonged hardship.

In England the actual atrocities were multiplied by rumour. Forty thousand, two hundred thousand, three hundred thousand had been massacred. The contemptuous dislike with which the ordinary Englishman then regarded the Irish was raised almost to madness by the fury of revenge and the feeling that at last there was a fair excuse for seizing all the lands of the Irish catholics. So far as men sought any other explanation of the revolt than the savage nature of the Irish, they found it in the baneful teaching of the Roman Church. To the puritans of England and Scotland, who saw the machinations of Rome in all their troubles and believed that they were in daily peril from Roman attack, what had befallen in Ireland was not strange, although it was terrible: it only confirmed the suspicions and fears so long entertained; it only threw a light upon much that had remained mysterious. Thus the first general outcry in Great Britain was for prompt, undistinguishing, and fearful vengeance upon the Irish rebels; the next, for protection by all possible means, however severe, against the alien Church which might soon contrive like rebellions and like massacres in England and Scotland. All who were thought to be working underhand for the restoration of popery became doubly odious; the queen, whose intrigues with Rome for help to her husband in return for favour to the catholics, although not known, were suspected; the bishops, whom the puritans regarded as mere catholic decoys; and the politicians who abetted the king in withholding those ecclesiastical reforms which the house of commons persisted in demanding.

The possibility, therefore, of adjusting religious differences in a reasonable way became fainter through the outbreak of the Irish rebellion. By the same event the political dispute between king and parliament was made irreconcilable. All were agreed that Ireland must be reconquered; but the reconquest would involve raising an army, and as the full proportions of the rebellion became known, men saw that this army must be numerous and that the struggle might be long. The King of

[1] This is Gardiner's estimate (*History*, ch. ci.). *Cf.* Lecky, *History of Ireland*, ch. i. Petty, the most reasonable of contemporary writers, thought that 37,000 were massacred in the first year (*Political Anatomy of Ireland*).

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CHAP. XII.

England was the captain-general of his people, and the raising and commanding of armies were among his most undoubted prerogatives. But if the king were allowed to raise, and still more to command, the army destined for Ireland, if he were to return victorious at the head of many thousand veterans inured to obedience and to conquest, what other power in the state could for a moment be compared to his? And who could doubt but that he would at once return to the method of government which suited his principles and his interests, that he would at once set aside all the restraints imposed by the new statutes, recall his old advisers, and take memorable revenge on all who had opposed his will either in political or in religious debate? If the presence of a superior Scottish army in the north had barely saved the parliament from the beaten and undisciplined English army, what might not be feared from a sole army under the king's command? The parliament, which had met to vindicate the law, was forced to override the law to guard itself against the king. In so doing it made for the king that party which he had never been able to make for himself. The Irish rebellion rendered certain that English civil war which hitherto had been only probable, and not for the last time the injustice of the English towards the Irish recoiled upon their own heads.

Upon the first news of the rebellion the houses voted that 8,000 soldiers should be raised and £50,000 borrowed, and that Leicester should repair to Dublin and carry on the war in person. The Scottish parliament having agreed to help in putting down the rebels, pay was voted for 1,000 Scots to act in Ulster. Pym moved that, if the king would not employ counsellors acceptable to parliament, parliament would resolve on some way of defending Ireland, which would concur to its own safety and would pay over contributions to those in whom it could trust. This resolution was vigorously opposed, for that part of the house which disliked the religious views of the majority began to diverge from their political views also. Pym carried his point by 151 votes to 110. The remonstrance to the king was read in the commons on November 8 and set down for consideration without further delay. This document contained, first, a statement of all that had been done amiss since the accession of Charles; secondly, a statement of all the reforms

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CHAP. XII.

made by the parliament then sitting; and, lastly, a summary of the reforms still needed to perfect the work.[1] With it went a petition that the king would concur in depriving the bishops of their votes in parliament and granting an indulgence to the puritans, but above all would take councillors in whom the parliament might confide. The Grand Remonstrance, as it came to be styled, was inevitably coloured by party spirit, both political and religious, above all by that fixed idea of popish intrigues causing every evil then felt in the three kingdoms, which was so general that even the strongest and clearest minds could not resist the infection. It implied throughout that certain malignant persons, wishing to restore Romanism, had corrupted the bishops, had pushed themselves into the privy council, had abused the king's confidence, and had defamed the measures of the parliament. It was intended to justify the parliament in the eyes of the people, but it was certain to wound the king so deeply as to be inadvisable save on the ground that he could not be trusted. The debate on the Remonstrance proved the first trial of strength between the two parties which afterwards waged the civil war.

The swift and fearful growth of the Irish rebellion inflamed those feelings which had given rise to the Remonstrance. By November 16 it had passed through committee. On the 22nd the final debate began. The royalist leaders, Hyde, Culpepper, and Falkland, urged that the Remonstrance tended to reopen old disputes and to foment public disorder. Pym and his friends dwelt on the dangers which beset the state and the need for further securities. After a long and vehement discussion, lasting from mid-day to midnight, the Remonstrance was adopted by 159 votes to 148. A motion that it should be printed, in other words, that the house of commons should make a direct appeal to the nation, was put off, but Hyde and Culpepper demanded leave to record their protest against the adoption of the Remonstrance. On the refusal of the majority, their friends, stung with anger and disappointment, broke into a tumult. Some waved their hats and shouted, some drew their swords, and it seemed as though the house of commons were turned into the likeness of a Polish diet. With a few apt

[1] Rushworth, iv., 438.

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CHAP. XII.

words Hampden recalled the members to order. But the feelings of the beaten party may be inferred from the temper of the victors. "If the Remonstrance had been rejected," Cromwell said, "I would have sold all I had the next morning and never have seen England any more; and I know there are many other honest men of this same resolution."[1]

Charles reached London on the 25th and was entertained at the Guildhall by the citizens with a splendour which made him confident that they were on his side. In return he promised to restore the lands in Derry whence they had been evicted by the Star Chamber. Almost his first act was to dismiss the guard of the two houses. On December 1 he received the Remonstrance and petition of the commons. He promised an answer after taking time to consider what they offered. The commons, who wished to raise forces with the least possible recognition of royal prerogative, adopted a bill giving authority to press soldiers for the war in Ireland, but incidentally declaring that the king could not constrain men to serve beyond their own county, save in case of sudden invasion. The peers asked the commons to explain why this declaration had been inserted in the bill. The forward party in the commons retorted with a bill for the nomination of a lord-general and a lord-admiral having the amplest authority over the forces by land and sea respectively, the so-called Militia Bill. The king told the lords that he would accept the impressment bill, if the declaration against his power were replaced by a clause saving the rights of both parties. The lords at once resenting his interference with a bill yet in their house, called on him to say by whose information he had acted. A few days afterwards he dismissed Balfour from the post of lieutenant of the Tower and appointed Colonel Lunsford, a disreputable soldier of fortune.

About the same time he gave his answer to the Remonstrance and the accompanying petition. He asserted his right to choose his own ministers. Protesting that he knew nothing of the wicked and malignant party denounced by the commons, he declared his readiness in matters of religion to concur with the just desires of his people in a parliamentary way. If parliament wished, he would consider the calling of a national synod to

[1] Clarendon, *History*, iv., 49-58; Verney's *Notes of the Long Parliament*, pp. 120-128.

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CHAP. XII.

reform corruptions in the Church.[1] By this reply Charles yielded nothing, for he undertook to act only when approached in a parliamentary way, in other words, by the two houses, which were almost certain not to agree. A national synod would be composed of clergymen mostly agreeing with himself. The commons were displeased with the king on account of his answer and with the lords for refusing to join in a petition that Lunsford might be dismissed. They read the militia bill a second time and asked the lords to join them in declaring to Charles the danger of the kingdom through the machinations of papists and other ill-affected persons. The city became so rebellious that he had to dismiss Lunsford and replace him by Sir John Byron. Lord Dillon, who came to London with the demands of the Irish rebels, was arrested and examined by a committee of the house of commons. What they learnt from him, together with the daily reports of the spread of the Irish insurrection, raised their fears to the height.

The attack on the bishops was accordingly renewed. Petitions for depriving them of their seats in the house of lords had been numerously signed in the city. The mob which frequented the purlieus of the parliament jeered them, shouted "No bishop!" and maltreated Archbishop Williams. Most of the bishops ceased to attend the house of lords. There were sharp encounters between the populace who held with the commons and the gentlemen, especially the officers out of employ, who resorted to Whitehall. It was during these days of disorder that the party names of Cavalier and Roundhead, afterwards so famous, first became current. The commons, when requested by the lords to join in declaring against riotous assemblies, and in asking the king to furnish a guard, could not bring themselves to censure the mob which terrified their opponents. Their fears were redoubled when the king announced that he was ready to raise 10,000 volunteers for Ireland, and gave commissions to officers who had drawn their swords upon the crowd. The archbishop and eleven bishops drew up a protest to the king and the lords that, having been assaulted in coming to the house, and finding no redress or protection, they were unable to attend, and that therefore all resolutions taken in

[1] Rushworth, iv., 452.

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CHAP. XII.

their absence were null and void. The lords immediately took offence and communicated the protest to the commons as entrenching on the privileges and being of parliament. The commons replied by impeaching the bishops, and the lords placed them under arrest.[1] The commons also petitioned the king for a guard under the command of the Earl of Essex.

From time to time there had been talk of the king's choosing ministers among the distinguished members of the house of commons. On the first day of January, 1642, Charles offered Pym the post of chancellor of the exchequer. Either he withdrew his offer or Pym refused. He then made Culpepper chancellor of the exchequer and Falkland secretary of state, and caused them to be sworn of the privy council. Hyde, the third leader of the moderate party, declined office, but was taken as a confidential adviser, and the king promised to do nothing without consulting all three. Had this been the first overture towards an understanding between the king and a great party in parliament and the nation, it might have assisted a peaceful settlement.[2] As Charles almost immediately departed from his promise of consulting with Hyde and his friends, we may doubt if the offer to Pym were more than a personal bribe and the appointment of the others more than a personal reward.

It was believed that the leaders of the majority were preparing an impeachment of the Queen as having conspired against the public liberties and having held intelligence with the Irish rebels. Perhaps on the advice of Digby, who had forsaken the reformers for the court, and had been created a peer, Charles took the most summary means to save her, and ordered the attorney-general, Sir Edward Herbert, to prepare articles of impeachment against five members of the house of commons, Pym, Hampden, Holles, Hazlerigg, and Strode. To these was afterwards added one peer, the Lord Kimbolton, son of the Earl of Manchester. They were charged with an attempt to subvert the fundamental laws of England, with inviting a foreign power to invade the kingdom, and with raising tumults in order to compel the parliament to join with them in their treacherous designs, even with actually levying war against the king.[3] When Herbert laid these charges before the lords on the morning of January

[1] Clarendon, *History*, iv., 139-45; *Commons' Journals*, ii., 363.
[2] Clarendon, *History*, iv., 122-26. [3] *Lords' Journals*, iv., 501.

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CHAP. XII.

3, and asked them to sanction the arrest of the persons accused, the house, instead of giving orders to that effect, named a committee to inquire whether he had acted according to law. The commons that morning had received an answer to their petition for a guard. Charles engaged himself solemnly on the word of a king, that their security should ever be his care as much as the preservation of himself or his children. If that assurance should not suffice, he would command a guard to wait upon them. Still dissatisfied, the commons sent to the city to ask that the trained bands might be ready. A little later Pym made known that his study and those of Holles and Hampden had been sealed up by the king's orders, and the house immediately resolved that to do this without their leave was a breach of privilege. The serjeant-at-arms having come from the king with orders to arrest the five members, the house named a committee to inform the king that the demand concerned their privileges and needed consideration. With this message the serjeant-at-arms was forced to return.

The lords were so deeply offended at the king's interference that they ordered the studies of the accused members to be broken open, and at length joined the commons in demanding a guard satisfactory to both houses. Instead of giving over his attempt, the king resolved to carry it out in person, but the secret of his intention was betrayed. Next morning the commons sent up the articles of accusation to the lords as a scandalous paper. The lords adopted this description of the articles. Urged by the queen, the king hesitated no longer, and at three in the afternoon drove out of Whitehall with some 300 armed gentlemen and servants in his train. Warning was brought and the accused members were told to withdraw. The river was close at hand and they took boat for the city. Charles alighted at the door of Westminster hall, which led direct to the desecrated chapel of St. Stephen where the commons sat. He signed to his followers to remain in the hall, but some eighty, whether by order or not, pressed after him. After sending a message to the house he entered with his nephew, the young elector palatine, while the Earl of Roxburgh held the door open and left a view of the armed men in the lobby.

The members rose and stood bareheaded. The king passed

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up the house, stood before the speaker's chair and looked round. Finding that the accused were absent, he reminded the house that in case of treason no person had any privilege, and added that he must have them wheresoever he found them. As silence ensued, Charles asked the speaker whether any of those persons were in the house. Lenthall, dropping on his knee, replied with grave composure: "May it please your majesty, I have neither eyes to see, nor tongue to speak in this place, but as the house is pleased to direct me, whose servant I am here; and I humbly beg your majesty's pardon that I cannot give any other answer than this to what your majesty is pleased to demand of me". The king paused and said: "Well, I see all the birds are flown. I do expect from you that you shall send them unto me as soon as they return hither. If not, I will seek them myself, for their treason is foul and such as you will thank me to discover. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a legal and fair way, for I never meant any other. I see I cannot do what I came for. I think this is no unfit occasion to repeat what I have said formerly, that whatsoever I have done in favour and to the good of my subjects, I do mean to maintain it." He went out of the house pursued by cries of "Privilege, privilege!" His followers, whose threats and bragging had been heard through the open door, greeted him clamorously. Had the king wished to convince the commons of his intention to make a murderous onslaught, he could not more aptly have designed the scene or distributed the parts. As soon as the lobby was clear the house adjourned.[1]

It is the nature of all such incidents as the attempted arrest of the five members to grave themselves on the mind and to appear even more significant than they are. Yet the attempt and all the circumstances leading up to it were in truth memorable and went far to extinguish the little hope that remained of peace between the king and the parliament. What Charles did he may have believed to be legal, but the legal flaws in his action were grave and palpable. The articles of impeachment in themselves were scarcely a greater straining of the law of treason than the articles against Strafford. But the prosecution

[1] Rushworth, iv., 477; Verney's *Notes*, pp. 137-39; Whitelocke, *Memorials*, pp. 52-53; Clarendon, *History*, iv., 151-57.

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CHAP. XII.

of commoners before the lords, otherwise than on the accusation of the house of commons, was a breach of the august rule that every Englishman was entitled to be tried by his peers, a rule erroneously derived from Magna Carta, but certainly observed as sacred for many generations. A personal attempt by the king to arrest was yet another breach of the law, since the subject could have no remedy against him if the arrest proved wrongful. The commons maintained that even a warrant to arrest ought to issue from some person or persons who could be held answerable to the law. They also maintained their right to be satisfied of the reality of a charge of treason before they were asked to give up a member. On this and on other grounds they contended that the attempt to arrest the five members was a violation of their privileges.

The legal objections to the king's conduct were, however, the least weighty. Even the king's invasion of the parliament house with an armed and ill-conditioned retinue was not the most serious circumstance. What mattered above all else was the plain disclosure of the king's feelings towards the majority of the house of commons, their leaders and their work. He had put upon record that Pym and Hampden and their followers were traitors, and that their treasons went back to the very opening of the parliament, perhaps to the opening of the previous parliament. But, if this were so, then all their work was called in question. All the laws of the past year might next be challenged as the effect of duress upon the houses and the king. All the judicial proceedings of the parliament were similarly tainted with suspicion of nullity. As for the many grave and thorny affairs still under discussion, especially the affairs of the Church, how could they be despatched by the joint action of the king with a parliament whose chiefs he deemed worthy of the gallows and the quartering block? The king's apparition in the lower house made clear to all who had insight, that there was no common ground between the two parties save the field of battle.

The next day after his failure at Westminster the king went in state to the Guildhall to claim the accused members. He was met with silence, broken by cries of "Parliament!" "Privilege of parliament!" and he came back unsuccessful. The commons, having met again, adjourned to the 11th, naming a committee to

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CHAP. XII.

sit at the Guildhall. As soon as the committee met, it declared the impeachment and the warrant for the arrest of the members to be illegal. The king issued a proclamation for their arrest. The committee retorted with a resolution that the city should provide a guard and name the officers. Two days later Philip Skippon, the captain of the Artillery Garden, a man of humble birth but a stout soldier, was appointed to the command of the city militia at the request of both houses. Such was the display of force on the side of the commons that the king thought well to leave London with his queen and children. On the 9th they withdrew to Hampton Court almost unattended. On the 11th the accused members returned by the Thames to Westminster. The river was alive with armed vessels, the trained bands marched westwards, the whole city appeared to accompany them, and the multitude was swelled by 4,000 freeholders who had come up from Buckinghamshire to show their zeal for Hampden and the parliament. A committee of lords and commons pursued the king to Hampton Court with complaints of his violation of privilege and demands for the punishment of his advisers, and the temper of the public was so alarming that in a few days he quitted Hampton Court for Windsor.

Civil war seemed so probable that both parties were eager to grasp every advantage in fortresses, arsenals, and the control of the militia. Charles believed himself secure of Portsmouth and hoped to secure Hull, where large magazines had been formed for the Scottish war. He named the Earl of Newcastle governor of Hull, and sent down Captain Legge to take possession. Troops could there be landed from Holland and Denmark. But the parliament had already ordered Sir John Hotham, member for Beverley, to take charge of Hull, and Hotham's son reached Hull long before Legge. Lunsford and other cavaliers assembled at Kingston, and Digby came over from Hampton Court to join them. Then the houses concurred in a general order to the sheriffs to call out the trained bands, suppress unlawful assemblies, and secure the county magazines. On the 31st the commons drew up an ordinance giving the command of the militia to persons who should be named thereafter. As the king was obdurate and the Londoners daily showed greater impatience, the lords agreed to join the commons in a petition that the king would entrust the

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CHAP. XII.

fortresses and the militia to persons in whom the parliament could confide. Next day the lords passed the bill to exclude the bishops from their house. Charles gave a qualified assent to the petition and promised to drop the impeachment of the five members.

He sought to gain time until the queen had sailed for the continent, where she would be out of danger and might be able to find allies or procure munitions of war. He would then repair to the north, where he hoped by his presence to awe Hotham into surrendering Hull. While waiting, therefore, at Canterbury and Dover he yielded much. He gave his assent to the bishops' exclusion bill and to the bill of impressment,[1] promised to enforce the laws against recusants, and undertook to refer to parliament questions regarding the Church and the liturgy. The houses were half won by these concessions when an intercepted letter to the queen from Digby, who had taken refuge in Holland, revived all their fears. The commons impeached Digby of high treason and both houses agreed on an ordinance for the militia which they tendered to Charles.[2] Henrietta Maria sailed from Dover on February 23. She took with her the crown jewels, upon which she hoped to raise a large sum of money, and she expected to obtain help from Holland and Denmark, perhaps from other powers. Charles returned to Greenwich, whither he summoned the Prince of Wales, but declined to remain near Westminster and took his way northwards. Thereupon the houses voted that the kingdom should be put in a posture of defence and named the new lords lieutenant. At Newmarket the king gave audience to the deputation which the parliament had sent with a declaration of its fears and jealousies. When the Earl of Pembroke hinted that he might well grant the militia for a time, he burst out: "By God, not for an hour. You have asked that of me in this was never asked of a king, and with which I will not trust my wife and children."

The commons replied with a resolution that when the houses should declare the law of the land, contradiction was a high breach of the privilege of parliament. About the same time the parliament passed a bill confiscating the lands of Irish

[1] 16 Car. I., ch. xxvii., and 16 Car. I., ch. xxviii.
[2] *Lords' Journals*, iv., 587.

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CHAP. XII.

rebels to an enormous extent and making them security for a loan to defray the Irish war. Charles gave his assent, yet hinted that such severity might render the rebels desperate. On March 19 he entered York, which for the next five months became his capital. Although he had resolved to yield nothing more, he was not in a condition to begin a war, for he was almost penniless, he did not control a single port, and the houses had seized the chief arsenals in the kingdom. The public had not yet forgotten his misgovernment and shrank from the thought of civil bloodshed. He was therefore obliged to proceed with caution. When at Greenwich, Charles had granted an interview to Hyde, and had agreed with him that he should remain at Westminster to watch the course of events, especially in parliament, and to keep the king well informed.[1] With every message from the houses to the king Hyde was to send secretly a draft answer which the king was to copy and return to parliament as his own. Hyde clearly discerned the one advantage in the king's situation. Since the houses were lopping off the ancient, undoubted prerogatives of the crown and making a revolution, it was for the king to sustain the part of one who defends order and true freedom against the caprice of an insolent assembly. Himself a lawyer and a practised parliamentary debater, he was most expert in presenting his own case and refuting the case of an antagonist. Although his style would not seem to our age lucid or argumentative, it was weighty and noble. Hyde soon became, and for upwards of twenty years he remained, the foremost statesman of the king's party. He could not solve the contradictions of the time, but he could save Charles from palpable mistakes and teach him how to gain adherents.

There ensued an interchange of long and angry state papers between king and parliament.[2] Each party distrusted the other profoundly and continued the debate, less in the hope of an agreement than to gain the goodwill of the public. The king complained that the parliament encroached upon his lawful authority, and the parliament declared that he was bound to exercise that authority according to its advice. He announced to the houses his intention of taking personal command in Ireland and levying for this purpose a guard of 200

[1] Clarendon, *Life*, part ii. [2] Clarendon, *History*, v. *passim*.

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CHAP. XII.

horse and 2,000 foot, to be armed out of the magazines at Hull. The houses replied that they could not approve of his design, and would not obey any persons appointed to govern England in his absence. When the king refused their request that the munitions of war in Hull should be removed to London, they sent Hotham orders for the removal notwithstanding. Charles resolved on a personal summons to Hotham. On April 23 he appeared before the town and required admission to view his own magazines. Hotham presented himself on the wall with the humblest expressions of duty, but would not let the king enter even with twenty horsemen. The king had to retire after causing the heralds to proclaim Hotham a traitor.

Meantime instinctive loyalty, respect for the law, and fear of the unknown were bringing over to Charles many who a year before had been zealous for the parliament. The dread of puritan supremacy in the Church wrought even more strongly to the same result. Wishing to remove whatever vexed the puritans, the majority at Westminster intended to reform the Church after consultation with an assembly of divines chosen by the parliament and therefore certain to be puritan in temper. Episcopal government and the Prayer Book would inevitably be condemned. At the same time the houses meant to enforce uniformity, and declared that they would not allow every man to worship as he pleased. Those who preferred episcopacy and the liturgy were taught how little they could hope from the houses by the imprisonment of some Kentish grand jurors who had offered a petition against puritan innovation.[1] They rallied round a king who shared, and was ready to fight for, their opinions, and with them went the catholics, whose lot would be much harder if the puritans became masters. Weary of a hopeless struggle the king's friends at Westminster made their way northwards in large numbers. Charles directed the lord keeper, Littelton, to remove the courts of justice to York. The houses declared the order unlawful, but Littelton himself came with the great seal. The king was again surrounded by a court and a council, and by his order the Yorkshire gentry attended in arms as a guard for his person. The houses required him to desist from levying troops, and on June 2 they despatched to York their final demands, the famous Nineteen Propositions.

[1] *Commons' Journals*, ii., 501.

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CHAP. XII.

The nineteen propositions may be resumed in one, that the parliament, not the king, was to be sovereign of England. Thenceforwards the approval of the houses was to be necessary for the appointment of privy councillors, of the great officers of the crown and ministers of state, and of the chiefs of the courts of common law. The same approval was required for the persons entrusted with the education of the king's children. No marriage was to be concluded for a child of the king without the consent of parliament. No peer made thereafter was to sit or vote without the consent of both houses. The judges were to hold office during good behaviour. The justice of parliament was to pass upon all offenders. The fortresses were to be entrusted to persons approved by parliament, and the militia ordinance was to take effect until a bill could be passed to regulate the militia.[1] The liturgy and the government of the Church were to be reformed as the houses should advise, and the laws against recusants were to be enforced. Thus the nineteen propositions embodied even more than was won by the revolution of 1688. The king could not be expected to submit to them until he had tried the fortune of war.

Both sides, therefore, hastened their preparations. The king issued commissions of array, placing the militia under the authority of his own officers. With the help of the Earl of Newcastle he secured the town of Newcastle which gave him a communication with the continent. He was disappointed, indeed, of succour from Scotland, Holland, and Denmark. He was still so poor that he could not have taken the field but for the generosity of his partisans. The queen, who had raised money by pawning the crown jewels in Holland, despatched a shipload of arms which arrived safely in the Humber. The houses, on their part, adopted an ordinance inviting all well-disposed persons to contribute money, plate and horses. They appointed a committee of lords and commons to provide for the safety of the kingdom. They voted to raise a force of 10,000 men for active service and appointed the Earl of Essex general. They defined their cause as "the safety of the king's person, the defence of both houses of parliament, and of those who have obeyed their orders and commands, and the preservation of

[1] *Lords' Journals*, v., 97.

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CHAP. XII.

the true religion, laws, liberties, and peace of the kingdom".[1] On July 11 the houses declared that the king had begun a war against his parliament, and a few days afterwards they despatched by the Earl of Holland a last petition that the king would accommodate differences. Charles replied by calling on the parliament to dismiss its troops, restore his fortresses, acknowledge that it could not make laws without his consent, and adjourn to some place outside London. The only reply was a declaration by the houses of their reasons for taking up arms. On August 9 Charles proclaimed Essex and his officers traitors. The houses then denounced as traitors all who should assist the king.

During this exchange of manifestoes the nominees of the king and of the parliament respectively had been struggling with various success to call out the militia and secure the county magazines of arms and ammunition. The parliament had such an advantage in point of wealth that its army was assembling fast, while the king could muster few cavalry and scarcely any infantry. Feeling the necessity of action to call forth the loyal ardour of his subjects, he determined to raise his standard as soon and as near London as possible. With his two sons, Charles and James, his nephews, Rupert and Maurice, and such followers as he could muster, he repaired to Nottingham, where on August 22 the standard was raised in the king's presence and the civil war began.

[1] *Lords' Journals*, v., 208.

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CHAPTER XIII.

THE FIRST PERIOD OF THE CIVIL WAR.

AT the beginning of the civil war it is desirable to review briefly the composition and the resources of the hostile parties.

As the conflict was political and ecclesiastical, not economic or social, it did not divide the nation strictly according to classes. On either side might be found men of every rank and of every degree of wealth and culture. It is a mistake to think that the king had no followers save hard-riding and hard-drinking squires. It is a commoner and more inveterate error to suppose that the champions of the parliament were a mob of low-born, low-bred, illiterate, and offensive fanatics. Nevertheless the interests and the prejudices of different classes tended to range them on opposite sides. Puritanism was especially a religion of the middle class and of the towns. Neither the virtues nor the vices of an aristocracy harmonise with the puritan ideal. Nonconformity, when it is punishable, requires an independence of character seldom found in the lowest class of all. Politically the aristocracy were drawn both ways. They had something to gain by the further abatement of the power of the crown, but they had more to lose by the advance in power of their inferiors. A great majority of the peers took up arms for the king, leaving barely a score to fight for the parliament. The gentry were less unequally divided, yet much the greater number took part with Charles. On the other hand, the middle class, that is to say, the traders and manufacturers of the towns and a very large proportion of the yeomen, then so numerous in England, held with the parliament. Each class drew in its dependants, the nobles and gentlemen their tenants and servants, the burgesses their journeymen and the humbler sort of townsfolk, and the clergy on either side those who had come under their spiritual influence.

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CHAP. XIII.

The social division determined the geographical distribution of the parties. The eastern and south-eastern counties from Hull to Portsmouth, then the most populous, industrious, and wealthy region of the kingdom, were well-nigh unanimous for the parliament. London was the parliament's surest stronghold, its unfailing source of men and money. The seaports were generally on the same side. So were the clothing towns of the West Riding and of Somerset, although exposed to the full fury of the royalists. In catholic and cavalier Lancashire, Manchester, the one town of note, was unshaken in resistance. When the parliament had lost every other foothold in the valley of the Severn, Gloucester defended itself with heroic obstinacy against a siege by the king in person. But in the north of England, in Wales and the Welsh marches, and in the wild peninsula of Devon and Cornwall the royalists soon gained and long kept a general mastery. It might be said that the lands north of the Humber and west of the Severn and the whole south-western region were the king's. There remained a broad middle zone, where now one and then the other party prevailed, according to circumstances, where towns were held for the parliament and castles were held for the king, where sieges were many and raids were incessant. Upon the whole the classes of English society and the parts of England which upheld the cause of the parliament in the seventeenth century were those which in the sixteenth century had favoured the reformation and in the fifteenth century had favoured the house of York, while those classes and those districts which had clung to the house of Lancaster and afterwards to the ancient faith, were marshalled in the cause of the king.

The parliament had a geographical advantage in the war. It drew its main resources from a smaller, more compact, and more defensible area than that which supplied the king. Unity of action and rapidity of movement were less difficult to its generals. In the number of men able to bear arms the belligerents were not perhaps unequal. But in wealth the parliament was certainly superior. It ruled over the richest part of the kingdom, and, holding almost all the ports, could levy the bulk of the customs. The king controlled only the poorer districts, where the inhabitants, engaged chiefly in agriculture, had little command of money. Many of the nobles on his side

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CHAP. XIII.

were opulent, it is true, and some were generous. The Duchess of Newcastle relates that her lord's losses, partly in helping the king, partly through the severity of the parliament, exceeded £900,000, a sum equivalent to a year's revenue of the kingdom before the civil war. If we distrust a lady's arithmetic, we have the assurance of Lord Herbert, afterwards Marquis of Worcester, that his own and his father's losses were almost as enormous. But war cannot long be waged even by the most ample private subscription. The king was soon crippled by want of funds, and forced to levy contributions or even to tolerate the licence of his unpaid troops. The parliament laboured under similar difficulties and incurred similar reproaches, but never to the same degree or with the same fatal effect.

In military organisation[1] both parties were at first equally defective. The sea had spared England the necessity of a regular army and of the administrative staff which it requires. The immemorial principle that every man was liable to bear arms for the defence of the realm remained in vigour. Thus were recruited the trained bands or militia which at the outbreak of the civil war numbered from 150,000 to 200,000. But the training was so brief and careless that these men were mostly quite raw. Only the London trained bands, about one-tenth of the whole, had been diligently exercised; the secret of that good service which they did in the field. Even when the militia had been embodied, they were not liable to march beyond their own county save in the event of a foreign invasion, and as soon as they crossed the boundary, they began to melt away. It was noted as a memorable proof of public spirit that, in the very crisis of the war, the Londoners consented to march one hundred miles from home to the relief of Gloucester.

Both belligerents, therefore, sought to enlist volunteers for service unrestrained in respect of place. Here, although zeal for the cause might be equal on both sides, the king was at a great advantage. The gentry were still a warlike class, expert in horsemanship and the use of arms, careless of pay and eager for renown, who infused their followers with something of their own high spirit. But the middle class which formed the main

[1] Professor C. H. Firth's admirable monograph, *Cromwell's Army*, is the best study of military organisation and the art of war in England at this period.

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CHAP. XIII.

strength of the parliament was peaceable, industrious, sedentary. The yeoman could not afford to leave his farm nor the tradesman his shop for lengthened service in field or garrison. Hence the recruits of the parliament were such as voluntary enrolment often sifts out of a rich community. "Your troops," Cromwell said to Hampden, "are most of them old decayed serving-men, tapsters, and such kind of fellows."[1] The king's advantage, however, was confined to his cavalry, for gentlemen were not apt to enlist as foot soldiers, and the men whom he obtained for his infantry were certainly no better than those who served the parliament. As the war went on and the supply of volunteers ran short, both parties had recourse to impressing the men they wanted. Neither party was able to pay its troops punctually, and therefore indiscipline and desertion were common, but, since the king was much poorer than the parliament, these evils were most glaring in his forces. Not until the parliament established the New Model were the conditions fulfilled under which every arm and every rank of the service could become thoroughly effective, and then a war which had threatened to become endless was decided in a few months.

Cavalry held a far larger place in the seventeenth century than now. The infantry were armed two-thirds with the musket and one-third with the pike, and musketeers were combined with pikemen to produce the same results which are obtained by the modern combination of the rifle with the bayonet. But the musket took much time to load and had a short range; the pike was long and cumbrous, and the joint force of pikemen and musketeers was unwieldy. Not only were battles often decided by charges of horse, but infantry could not safely march over an open country, a "campania," unless covered by a strong body of cavalry. It was thought desirable that cavalry should form one-third or even one-half of an army. Hence the king's superiority in this arm was, while it lasted, of the utmost consequence. The parliament's forces were better provided with artillery, but, as yet, the cannon played a small part in battles. In sieges the cannon had long been supreme, and on the continent the art of fortification had been wholly renewed since the close of the middle ages. England at the outbreak of the civil war possessed only one or two

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Speech xi.

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fortresses of the new type, such as Hull or Berwick, and these were held for the parliament. In the course of the war Oxford was fortified by the king on the latest principles. But most of the towns and castles which stood a siege had only their medieval walls and towers, strengthened, perhaps, by some hasty earthworks. They were able to prolong their resistance because the besiegers seldom had a proper train of artillery. CHAP. XIII.

The first period of the civil war did not produce any great generals. Many officers on either side knew something about war on a grand scale, since they had fought for the Dutch republic, or the King of Denmark, or the King of Sweden, but none of these men can be said to have displayed genius. Dogged courage and fidelity were the best qualifications of the Earl of Essex. Prince Rupert was a swift and daring cavalry captain, but lacked the patience, the self-control, the large intellect necessary for directing a war. Waller, on the side of the parliament, and Hopton, on the side of the king, displayed finer qualities, but scarcely found an opportunity of testing how much they could perform. The younger Fairfax was serving a hard apprenticeship in the north, Cromwell held only subordinate commands, and Montrose was without employment. On neither side do we find large plans, concentration of forces, or sustained vigour of execution. The struggle is tedious and perplexed in the last degree. Other causes, indeed, beside the mediocrity of the generals tended to this result. The want of funds, the indiscipline of the troops, the intermixed positions held by royalists and parliamentarians, alike contributed to multiply petty local operations which could decide nothing but consumed the strength of both parties.

In the control of the sea the parliament wielded a most effective weapon. Charles had taken a commendable interest in the strength of the navy, but, like his predecessors, he had neglected the welfare of the crews, who repaid him with indifference.[1] The Earl of Northumberland, the lord high admiral, was a somewhat lukewarm member of the popular party. When the parliament in March, 1642, requested him to name the more zealous Earl of Warwick his vice-admiral, he readily obeyed. Charles forbade the appointment and sent a trusty veteran, Sir

[1] Oppenheim, *History of the Administration of the Royal Navy from 1509 to 1660*, i., 216-302.

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CHAP. XIII.

John Pennington, to command the fleet. Although a few captains demurred, the seamen generally accepted Warwick as their admiral, and he secured the fleet for the parliament, to which it remained loyal throughout the war. The parliament was thus enabled to protect the commerce of London and other ports, to relieve the coast fortresses, such as Hull or Plymouth, and to embarrass the king's communications with foreign countries. Here and there a ship might elude the watch of its cruisers, but no large reinforcement could reach the king from abroad.

When Charles raised his standard at Nottingham he could scarcely be said to possess an army, and the forces of the parliament at Northampton were so much stronger and better equipped than his own that by a prompt stroke they might have ended the war ere it had well begun. But they lay still because their general had not yet arrived. Charles was induced to send Lord Falkland and Lord Spencer to the houses with an overture for peace which was bluntly rejected, but did him much good in public opinion. Soon he was at the head of a respectable force. He gave the command-in-chief to the Earl of Lindsey, and made Rupert general of the horse and Sir Jacob Astley general of the foot. He bestowed on Rupert the invidious privilege of receiving orders only from himself. On September 10, Essex took up his command and was impatient to advance against Nottingham, for he had 20,000 men. Charles, who had but half of that number, resolved to march towards Wales by way of Derby and Stafford, and recruit in the friendly western shires. He reached Shrewsbury on the 20th. There recruits poured in, although arms remained scarce.[1] Want of money made payment for supplies impossible and the soldiers had to live upon the country. Rupert had learnt in the German wars to act on this necessity, but his methods were apt to turn the common people against the king.

Some of the king's horse under Sir John Byron had for a moment occupied Oxford, and, when driven out, made their way to Worcester, whither Rupert came to their support. Towards Worcester, therefore, the Earl of Essex directed his march from Northampton. The royalists waited long enough to repulse his advance guard in a skirmish at Powick Bridge but did not attempt to hold the city against his main army. When

[1] Clarendon, *History*, vi., 73.

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CHAP. XIII.

they had rejoined their friends, Charles could dispose of 14,000 men and felt equal to an offensive movement. Breaking up from Shrewsbury on October 12, he marched upon London by way of Bridgnorth and Birmingham. In London the alarm was great. Chains were stretched across the streets to break the rush of cavalry, and the parliament gave orders for raising a second army to be commanded by the Earl of Warwick. Essex, leaving a garrison in Worcester, returned to defend the capital. But so careless were the commanders on both sides that the parliamentarians had reached the little town of Kineton in Warwickshire and the royalists the village of Edgcott a few miles distant, before Charles learnt from Rupert how near he was to the enemy. He saw that he must disable Essex for attack, and on the morning of the 23rd he drew out his army along the steep crest of Edgehill, overlooking the broad vale in which Kineton lies some three miles distant.

Weakened by detachments and with most of his artillery a day's march behind under Hampden's escort, Essex was so inferior in numbers to the king that he could not think of storming the heights. He therefore marshalled his forces a mile or more from the foot of Edgehill, thus constraining the royalists, who were short of supplies, to descend and begin the battle. Lindsey, deeply hurt that the cavalry were not under his orders, had resigned the general command to the Earl of Forth, and had chosen to lead his regiment into action. According to the practice of that age the infantry of each army formed the centre, with the cavalry on the wings. On the king's right the main body of his horse was massed under Rupert, and the remainder on the left were commanded by Wilmot. It was one o'clock in the afternoon when the fight began. In a headlong charge Rupert routed the parliamentarian left and pursued them into Kineton, where his troopers fell to plundering the baggage train that choked the street. Wilmot swept before him part of the horse on the parliamentarian right, and followed the chase as eagerly as Rupert. Thus the enemy's centre was exposed and its ruin seemed certain. But Rupert and Wilmot forgot to look behind, and the king had no more horse at his call. Essex rallied his shaken infantry, and Sir William Balfour, with such of the parliament's horse as had not fled, dashed at the centre of the king's array. The royalists were driven in, their cannon

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CHAP. XIII.

were for a moment taken, Lord Lindsey was mortally wounded, and Sir Edmund Verney, the standard-bearer, was killed. So suddenly was the fortune of the day reversed that only the return of his horsemen and the early fall of an October evening saved Charles from a total defeat. No trustworthy account of the loss on either side remains, but it would appear to have been heavy on both.

Next day Essex was joined by Hampden's regiments with the guns, but he did not think fit to renew the combat. He fell back towards Warwick, whence he made for London, while Charles continued his march towards Banbury, which surrendered without a blow, and thence to Oxford, which became his capital during the rest of the war. From Oxford he advanced on London without allowing himself to be delayed by overtures for a treaty. Essex, however, reached London first and embodied the new levies in his army. The houses prudently claimed Edgehill as a victory by a vote of thanks and a present of £5,000 to their general. At Colnbrook Charles received the envoys of the parliament, whom he sent back with a proposal that Windsor Castle should be surrendered to him, although he would make no cessation of arms. Next morning, November 12, his vanguard, under Rupert, stormed Brentford with severe loss to the parliamentary troops. But then the Londoners, who were alarmed not only by the danger to the good cause, but by the near prospect of a sack, came out in multitudes to reinforce the army of Essex. He took post at Turnham Green with 24,000 men, perhaps double the numbers of the king. The royalists presently quitted Brentford, and soon afterwards Charles retired to Reading, where the negotiation was renewed without effect. He took up his winter quarters at Oxford, covered by a circle of garrisons, Reading, Wallingford, Banbury, and Marlborough. Communication with the west was free, for Worcester had been abandoned by the parliamentarians. The Earl of Forth, who was subsequently created Earl of Brentford, succeeded to the command-in-chief of the king's army.

At the beginning of the war Charles had given the Earl of Newcastle a commission to act as general of all his forces in the north of England. The earl was prompt and active, but could ill brook the drudgery of command. He had the courage which makes light of death, but not the fortitude which can sustain and

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CHAP. XIII.

repair defeat. The friends of the parliament in Yorkshire chose for their general Ferdinand, Lord Fairfax, and the parliament ratified their choice. As most Yorkshiremen were averse to domestic war, the parties concluded a treaty of neutrality, but this was promptly disallowed by the houses. Thereupon Fairfax mustered his friends and forced the royalist gentry to take shelter behind the walls of York. By straining all his influence and wealth Newcastle succeeded in assembling 8,000 men before the end of November. He then invaded Yorkshire from Durham, defeated the younger Hotham at Pierce Bridge, overran the North Riding and raised the blockade of York. After defeating Fairfax at Tadcaster on December 6, he seized Pontefract and cut off the West Riding from Hull, the base of the parliamentarians in Yorkshire.

In the south-west everything at first went well for the parliament. Before raising his standard the king had sent the Marquis of Hertford to act as his general in that region. The marquis gathered a handful of men with whom he attempted to hold Sherborne Castle. On the approach of a parliamentary army, under the Earl of Bedford, he disbanded his force and crossed the sea into South Wales. Sir Ralph Hopton with a few friends seized Pendennis Castle near Falmouth, but all the rest of the county was controlled by the parliamentary committee at Launceston. Its members proceeded to Bodmin where they formally indicted Hopton and his followers at the quarter sessions as disturbers of the public peace. At Bodmin they were surprised to meet Hopton himself, who displayed his commission as the king's general, required the obedience of all good subjects, and persuaded the grand jury to find a true bill against the Launceston party for assembling in a riotous manner. The Cornishmen rose in answer to his call and swept the parliamentarians out of their county. Beyond its bounds the militia would not march; but Hopton, with the help of Sir Bevil Grenville and a few other gentlemen, raised 1,500 volunteers, invaded Devonshire and left to the parliament nothing save the walled towns. Thus at Christmas, 1642, the king's situation was very different from what it had been three months before. Then it seemed doubtful whether he could wage war at all; now he was master of half the kingdom and the confidence of success was with his men, not with the forces of the parliament.

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CHAP. XIII.

In the pause of active operations the parliament sought to organise more effectively those parts of England which it controlled. Hitherto it had entrusted administration in each shire to a committee of friendly gentry. But the shire was too small an area for the purpose, and the committee might easily be thwarted by the king's friends if they were at all numerous. The parliament, therefore, decided, where possible, to group several counties under one committee. A number of midland counties were thus grouped in the midland association. Soon afterwards, Norfolk, Suffolk, Essex, Cambridge, and Hertford were combined in the eastern association, which bore a notable part in the later events of the civil war. In its service Cromwell first proved his capacity. His zeal for the cause of the parliament he had already shown. He had made a present of arms to the townsmen of Cambridge; he had intercepted the university plate on its way to the king, and he had raised a troop of horse with which he rode in the charge that redeemed the day at Edgehill. When the eastern association was formed, he went home to make his troop a regiment. He selected recruits on the principle which he had urged to Hampden of getting "men with a spirit that is likely to go on as far as gentlemen will go," men of religion to face the men of honour. In those puritan counties he found the men he wanted. "I have a lovely company," he wrote to a friend, "you would respect them did you know them; they are no anabaptists, they are honest, sober Christians."[1] He became colonel of the regiment which he had formed, the famous Ironsides, and before the close of 1643 proved himself the best leader of horse in England.

The unfortunate course of the war and the taxation imposed by ordinance to support it chilled many supporters of the parliament. Even in London multitudes called for peace. The house of lords agreed on propositions for a treaty and the house of commons resolved to negotiate. On February 1, 1643, the parliamentary commissioners opened that negotiation with the king which is known as the treaty of Oxford. Among the propositions which they tendered, three were of the highest moment. The houses required that the king should assent to the bill abolishing episcopacy and to such other bills for settling

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Letter xvii.

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CHAP. XIII.

of Church government as they should adopt after consulting with an assembly of divines. They required the king to settle the militia in such a manner as should be approved by both houses. They also required that the king should leave delinquents to a legal trial and the judgment of parliament. But on these heads Charles would never yield so long as he had any hope in arms. Believing episcopal government a matter of divine ordinance, he could not agree to its suppression. Claiming the power of the sword as his unquestionable prerogative he would never make a gift of it to parliament. Interest, honour, and conscience forbade him to abandon under the name of delinquents those who had shared his distress, executed his commands, and maintained his cause with purse and sword. He therefore ignored the propositions of the parliament and advanced others of his own, for the restoration of his revenues, ships, and fortresses, the recall of unlawful acts done by the houses, and the passing of a bill to preserve the Book of Common Prayer from the attacks of the sectaries. He added, indeed, a vague offer of indulgence to be shown to tender consciences. The parliament could not accept such proposals, unless it were ready to sacrifice everything for which it had hitherto contended. No progress therefore was made in the treaty of Oxford. Unwilling to resign all hope, the houses instructed their commissioners to treat for a cessation of arms which would allow more time to negotiate a settlement. Even this could not be obtained, and in the course of April the commissioners were recalled.[1]

During the negotiation the war on the whole went in favour of the king. The parliament sent the Earl of Stamford into Devonshire with a force which compelled Hopton to quit the county. Ruthven, the governor of Plymouth, presumed to invade Cornwall on his own account. But the Cornishmen rose again, under Hopton and Grenville, to defend their native soil, and defeated Ruthven on Braddock Down, near Liskeard, on January 19, 1643. Then they invaded Devon a second time, driving Stamford and his troops before them, and threatening Plymouth. In February, a force from Oxford stormed Cirencester and subdued all Gloucestershire save the capital. Other de-

[1] Whitelocke, *Memorials*, pp. 67-69; Rushworth, v., 164-262.

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CHAP. XIII.

tachments occupied several midland towns such as Lichfield, Stafford and Tamworth, thus opening a communication with the Earl of Newcastle. In the north Newcastle began the year by sending Sir William Savile to subdue the West Riding. The men of Bradford and Halifax, with the help of some troops from Hull, commanded by young Sir Thomas Fairfax, defeated Savile and made the earl retreat to York although they were not strong enough to profit by their victory. The queen, who had been busy in Holland pawning the crown jewels and purchasing arms and ammunition, set sail for England in February, and reached Bridlington Quay, whence she was escorted to York by the Earl of Newcastle.[1] There she negotiated with Sir Hugh Cholmley, governor of Scarborough Castle, whom she persuaded to desert the parliament. Sir John Hotham and his son began to waver in their fidelity, and gave no help to the Fairfaxes. At the beginning of March, Lord Fairfax was driven back upon Leeds, where he was presently blockaded by the royalists.

When the treaty at Oxford had ended, Essex with the main army of the parliament marched from Windsor to invest Reading. The town was neither strong nor well provided, and surrendered on April 27 after a siege of twelve days. Its capture opened the way to Oxford, but Essex found that his men, whose pay had fallen into arrear, were not in a good temper. When this grievance had been redressed, sickness broke out, and Essex could not move until he had been reinforced. He fixed his headquarters at Thame, and occupied the village of Wheatley near Oxford, but he neglected the precautions which every general should observe when close to an active and enterprising foe. On the night of June 17 Rupert sallied from Oxford with a party of horse to seize a convoy of treasure coming from London to the headquarters. He missed his prey, but cut up some small detachments exposed in outlying villages. At length the alarm spread, and the parliamentarians gathered on his rear. On Chalgrove field Hampden, with a few troopers, overtook Rupert and tried to hold him in play until reinforcements came. After a sharp skirmish Hampden was mortally wounded and his men were scattered. Rupert regained Oxford without hindrance, while Hampden made his way to Thame almost alone. He

[1] *Letters of Henrietta Maria*, ed. by Mrs. Everett Green, pp. 161-79.

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lingered in much pain until the 24th. The words commonly ascribed to him in his last moments are found only in a late and spurious narrative.[1] It is enough that he died as he had lived for his country. In him the parliament lost perhaps its best and wisest leader. Yet we may think him fortunate in his death, for even if he could have divined the only possible terms of reconciliation, he could not have induced the warring factions to accept them, nor could he have found a fitting place under that military rule which became the nation's last resource against anarchy. Sickness again thinned the army of the parliament, and Essex fell back to Aylesbury and thence to Brickhill, nearer London, while the queen with a large convoy of arms and ammunition reached Oxford unmolested.

In the north of England the Fairfaxes continued to struggle gloriously but vainly against the growing forces of Newcastle. On May 21 Sir Thomas Fairfax surprised Wakefield and took 1,400 prisoners, but was not strong enough to hold the town. No help could be got from the eastern counties, which feared a royalist invasion for themselves, and the last hope of the parliament in the north was almost extinguished by the treachery of Hotham and his son, who had resolved to surrender Hull, the one impregnable fortress and the one port through which men and supplies could be introduced from the sea. The Hothams, however, awakened so much suspicion that they were arrested and sent to London, although not tried and executed until many months afterwards. In June, Newcastle, with 10,000 men, again invaded the West Riding. On the 30th the Fairfaxes at the head of an ill-armed and ill-disciplined levy gave him battle on Adwalton Moor, not far from Bradford, and suffered a total defeat. They made their way to Bradford and thence to Hull, where Lord Fairfax was welcomed by the citizens as their governor. Thus Hull was saved, but the West Riding was lost, and Newcastle controlled all the lands north of the Humber. He next attacked Lincolnshire, sending a strong body of horse under Charles Cavendish, to threaten Gainsborough, where Lord Willoughby of Parham commanded for the parliament. Sir John Meldrum, the general of the eastern association, and Colonel Cromwell marched to its relief and in

[1] Printed in the *Gentleman's Magazine* for 1815; see Professor Firth's article on Hampden, *Dictionary of National Biography*.

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CHAP. XIII.

an action fought near the town Cavendish was slain and his men were routed. The victors had presently to retire before Newcastle's main force, which took Gainsborough and Lincoln and overran almost the whole of the county. It seemed likely that the earl would invade the counties of the eastern association and even try an advance on London.

In the south-west of England the royalists were also victorious. The parliament had raised Stamford's army to 7,000 men, but these forces were useless to a general whose only qualifications were rank and wealth. Hopton and Grenville, though they had not half his numbers, attacked him near the village of Stratton, in Cornwall, close to the Devon border, on May 16 and gained a decisive victory. After this brilliant feat of arms Hopton invaded Devon a third time and overran the whole county save a few seaport towns. The king felt strong enough to detach a body of troops under Prince Maurice and the Marquis of Hertford, which effected a junction with the Cornish army at Chard. Sir William Waller who, with small means, had gained much reputation on the Welsh border, was recalled by the parliament to the defence of Somerset, but could not do more than cover Bath. He occupied Lansdown Hill, which rises steeply behind the city. On July 5 the royalists attacked him, and, pressing up Lansdown, in despite of cannon and musketry and charges of horse, established themselves on the top, although with heavy loss. Two-thirds of their cavalry were killed or wounded, and the brave Grenville was among the dead. Under cover of the night Waller retired into the town. As the royalists had neither men nor ammunition sufficient to besiege him there, they determined on marching to Oxford and joining the king.

Waller was strong enough to follow and harass their rear, and when they reached Devizes he took his post on Roundway Down and barred their further progress. It was resolved that Maurice, with the cavalry, should make a bold push for Oxford, while Hopton, with the infantry, should do his best to hold Devizes until Maurice with fresh forces could come to his relief. Before a general assault could be delivered, Maurice returned from Oxford and occupied Waller's old position on Roundway Down. Waller had to regain it if he would continue the siege. In the ensuing battle, fought on the 13th, he fled with his cavalry,

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CHAP. XIII.

and his infantry were all killed, wounded, or made prisoners. The parliament had no other force which could keep the field in the west. Rupert joined the victors with a reinforcement from Oxford and invested Bristol. The city itself lay in a hollow easily commanded from the surrounding heights. It had been enclosed with lines nearly five miles in extent, but they were unfinished and weakly manned. Supplies were scanty and some of the citizens were hostile to the parliament. The governor, Nathaniel Fiennes, owed his advancement, not to military skill or experience, but to family connexion and talent for debate. On the 26th Rupert ventured a general assault, and, before it could be pushed home, Fiennes surrendered Bristol. He was afterwards sentenced to death by a court-martial for his failure in duty, but his life was spared. The capture of this large and rich city, the second seaport of the kingdom, seemed to forebode the complete subjugation of the west of England by the king

At a time when almost every courier announced defeats and loss of territory, the houses were alarmed by the discovery of a dangerous plot in the capital. Among the rich and even in the parliament were some secret partisans of the king. Charles issued to certain citizens a commission of array, empowering them to raise forces for his service. Edmund Waller, the poet, then a member of parliament, acted as intermediary between the citizens and those of his colleagues who were in the secret. On an appointed night the royalists were to rise, secure the lord mayor and the leaders of the commons, and open the gates to a force from Oxford. But evidence was found, which led to the arrest of Waller and his brother-in-law, Tompkins, on May 31. Waller was smitten with such abject terror that he offered to confess everything. His evidence proved fatal to Tompkins and another accomplice, Chaloner, who were executed on July 5, but he so skilfully interested the house in his own behalf that he escaped with a fine of £10,000. The discovery of the plot rekindled the spirit of resistance. The members of both houses entered into a covenant to maintain the cause of the parliament against the king until the papists, then in arms, should have been brought to justice, and the lords agreed to the ordinance for holding an assembly of divines, which they had hitherto opposed.

An effort was also made to increase the revenue. From the first the parliament had found that the taxes levied in

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CHAP XIII.

time of peace were insufficient to meet the expenses of the war. It announced an intention of making delinquents, in other words, the king's followers, answerable for those expenses; but this resource would not avail until it had gained the victory. At the close of 1642 it imposed a direct tax, first on London and then on the whole of its territory; and this taxation became permanent. A certain sum-total was fixed for the monthly assessment; the parliamentary commissioners fixed the contribution of each county and borough, and the local authorities fixed the share to be paid by each individual. Direct taxation, however, did not prove adequate. In March, 1643, Pym proposed an excise upon articles bought and sold. Such a tax, although familiar in Holland, had never been imposed in England and was so unpopular that the house rejected his motion. But the need of money became so urgent that an excise ordinance which also increased the customs was passed in July. About the same time it was resolved to put a much greater number of men into the field. The army of Essex was to be reinforced, so that it could take the offensive again. A second army was to be levied and entrusted to Sir William Waller for the defence of the home counties. The infantry of the eastern association was to be raised to 10,000 men, and the Earl of Manchester, formerly Lord Kimbolton, was appointed general there, in order that his rank if not his talents might ensure unity of action. As there was no likelihood that the armies of Essex, Waller, and Manchester could be brought up to their full strength by voluntary enlistment, the houses, on August 10, passed an ordinance for impressing recruits.

These vigorous resolutions could not be executed all at once, and meantime the king might order the advance upon London of three armies — his own, the northern, and the western; a movement which, if it took effect, would decide the war. It was averted by the unwillingness of his followers to go far from home so long as any danger threatened there. The Cornishmen, who had marched victorious half-way across England, would no longer leave their county open to raids from Plymouth. Newcastle, whom the king had rewarded for his services with the rank of marquis, was recalled northwards by the entreaties of the Yorkshiremen, who feared incursions from the garrison of Hull. The Welsh levies would not cross the Severn

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CHAP. XIII.

so long as the parliament held Gloucester. Concentration thus became impossible, and no large plan could be executed. The Cornishmen returned home. Prince Maurice, with the remainder of his army, was sent to subdue Dorset, and soon conquered the whole county except the seaports of Poole and Lyme Regis. He then reduced all the fortresses of the parliament in Devonshire save Plymouth. Newcastle, on September 2, began the siege of Hull. The king had invested Gloucester on August 10. So prosperous did his cause still appear that several lords at this time forsook the parliament for the king, among them Holland, who, finding himself distrusted and contemned at Oxford, stole back to London in the autumn.

Gloucester was without regular defences, and had a garrison of only 1,500 men, ill supplied. Massey, the governor, has been suspected of treachery to his employers. Charles could still muster 8,000 troops for the siege, but remembering the heavy loss at Bristol, chose to make regular approaches rather than try the fortune of an assault. The besieged took the offensive in frequent and successful sallies. Day after day passed without any sign of surrender, while the parliament, aware that the fall of Gloucester would be followed by an attack on London, strained every nerve to form an army of relief, and was heartily supported by the ministers and the citizens. Beside the pressed men, six regiments of the London trained bands agreed to march for the deliverance of Gloucester. On August 26 Essex set out from Colnbrook, and with the reinforcements which he gathered on the way was soon 15,000 strong. Leaving Oxford to the south, he marched over the Cotswolds, where the royalist cavalry under Rupert and Wilmot hung on his flanks and tried to head him back. Charles, who was too weak to give him battle, broke up the siege on September 5 and retreated towards Painswick and thence to Evesham. There remained in Gloucester only three barrels of powder.

Essex entered Gloucester on the 8th, and halted there a couple of days while the citizens renewed their supplies. To remain longer was impossible with an army such as he commanded and to return was difficult, for Charles could concentrate his forces to bar the way. Marching towards Tewkesbury, as though he would again pass north of Oxford, Essex turned suddenly southwards and captured Cirencester, where he found

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CHAP. XIII.

a magazine of provisions which he needed extremely. Then quitting the open "campania" of the Cotswolds, he plunged into what Clarendon terms "the deep enclosed country of North Wilts," struck the great road which leads down the valley of the Kennet, and pushed on for London. Charles, although he had been outmanœuvred by Essex, did not despair of cutting him off. Rupert's cavalry came in contact with the parliamentarians on Aldbourn Chase and headed them back towards Hungerford, while Charles, with the main body, planted himself at Newbury. Essex took up his headquarters at Enborne Street about three miles to the south-west. Both armies extended across the down which rises between the Kennet to the north and the Enborne brook to the south. Towards Newbury and the south this down was largely open common, but farther west and especially on the slope towards the Kennet it was cut up by enclosures and copses.

As supplies of food were running short, Essex had to cut his way through or surrender. The king, who could afford to wait, should have remained on the defensive. On the morning of the 20th, the parliamentarians began to move. But the royalists by a series of errors were the first to attack. On the left Rupert hurled himself in vain against the London regiments. On the right, the royalists, having allowed the enemy to seize heights which commanded their position in the low ground by the Kennet, were forced to attack uphill, if they would not retreat. Led by Sir Nicholas and Sir John Byron, they charged again and again, making a little way at a heavy price, for the soldiers of the parliament disputed every hedge. In the centre, amid lanes and enclosures, the conflict was long and stubborn, but at length Essex remained master of the ground as far as the open heath. When darkness fell victory was still doubtful. Both armies had suffered severely, but the parliament lost no officer of much note while the king lost some of his noblest followers. The generous Falkland, despairing of peace and unable to witness any longer the sufferings of his country, had sought and found death early in the action. The Earls of Carnarvon and Sunderland had also fallen. The battle must have been renewed the next day had not the royalists exhausted their ammunition. In the night Charles drew off his forces towards Oxford, and at morning Essex resumed his march

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CHAP. XIII.

towards London. The king's troops reoccupied Reading, and this was the one result gained by their supreme effort at Newbury.[1]

The Londoners who had fought so well could no longer be spared from their callings, and the army of Essex fell back into its former weakness. Perhaps three-fourths of the kingdom were at this time subject to Charles. The king and the houses had for some time been endeavouring to draw help from Ireland and from Scotland respectively.

In Ireland the avowed intention of the English parliament no longer to tolerate catholicism and its vast scheme of confiscation, together with the unwise cruelty of the lord justices, had long since united in arms the whole Roman catholic population, not merely the pure Irish who wished to be independent, but also the Anglo-Irish, who only desired freedom for their religion and security for their estates. By the summer of 1642 the English and Scots were confined to a few fortresses with the adjoining districts. The insurgents proceeded to organise themselves. In May, an assembly of clergymen and laymen met at Kilkenny, and resolved to form a supreme council. When the supreme council met it appointed Thomas Preston, a colonel in the Spanish service, to command its forces in Leinster. Owen Roe O'Neill, who landed about the same time on the shore of Lough Swilly, needed no commission to give him authority over the men of Ulster. Preston was confronted by Ormond, who had lately been raised to the rank of a marquis, and commanded the king's forces. O'Neill was opposed to the Scottish army under Monro. With inferior discipline and organisation the Irish had the advantage of numbers, and in spite of defeats continued to gain ground on their enemies.

The general assembly of the confederate catholics, which was in all but name an Irish parliament, met at Kilkenny on October 24, the day after the battle of Edgehill. It proclaimed freedom for the catholic religion and restored the Church lands to the catholic clergy. Without ordaining any general confiscation of the estates of the settlers, it sequestered the rents of all landowners who were hostile or neutral. It did not demand national independence, but took as the motto on its seal, "Irish-

[1] Clarendon, *History*, vii., 201-239; May, *History of the Long Parliament*, bk. iii., ch. vi.; Whitelocke, *Memorials*, pp. 73-74.

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CHAP. XIII.

men unanimous for God, the king and the country'. The policy thus suggested was that of the Anglo-Irish nobility, and might not have satisfied all the Irish catholics in the event of final success. The general assembly wished to earn the favour of Charles, and Charles might well desire to conciliate them, as he could then employ in England the troops fighting for him in Ireland, and possibly Irish troops also. Few will now blame him for not adopting the remorseless policy of the parliament which threatened to make the Irish war endless. But throughout his Irish negotiation Charles justly incurred the double reproach of unwisdom and dishonesty: of unwisdom, because he would lose far more than he could ever gain by employing Irish catholic troops in his English quarrel; of dishonesty, because he must have known that he could not keep any promise of religious equality made to the Irish catholics. More than once he consented to sacrifice Irish interests altogether if he might recover his own authority in England. The temptation was doubtless severe and the circumstances were such that an upright and straightforward policy was well-nigh impossible.

In January, 1643, Charles, who would not allow Leicester to go to Ireland, empowered Ormond and others to confer with the Irish leaders and to report on their demands. The meeting of commissioners from both sides took place at Trim on March 17. The Irish tendered a remonstrance of grievances, closing with the demand for a free parliament, unfettered by Poynings' Act. If this were granted, they would send 10,000 men to the king's assistance. Charles was unwilling to go so far, but found an advantage in prolonging the discussion. In April he authorised Ormond to treat for one year's cessation of arms, and in July he consented to offer the Irish a free parliament. The confederates were divided among themselves. While the Anglo-Irish nobility welcomed the king's offer, a large part of the clergy, led by Scarampi, the papal legate, and the old Irish of the north, led by O'Neill, felt that the king, even if he wished, would never be allowed to grant their full demands, and that their best hope lay, not in negotiating with him, but in recovering the whole country, so that whichever party prevailed in England would have to acknowledge an independence which it could not undo. In this they were right, but both sides were so desirous of the cessation that it was concluded on September 15. The king and the con-

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federates respectively were to keep what they actually held, and the Scots, under Monro, were to have the benefit of the cessation if they chose to come in; but if they stood aloof, Ormond was to remain neutral while they were attacked, or even, if the king consented, was to help in attacking them. The supreme council undertook to find £30,000 for the royal troops which were to pass into England. The terms of a definitive peace were to be discussed at Oxford between the king and the agents of the supreme council. Thus closed the first period of the Irish rebellion. CHAP. XIII.

The Scots had no part in the events which led immediately to the outbreak of the civil war in England, but they could not be indifferent to the issue of the conflict. If the king should regain by arms his full authority in England, he would certainly proceed to regain his full authority in Scotland. If the English puritans were vanquished, the Scottish Kirk would not long remain presbyterian. As soon as it became clear that the king would not be easily overcome, the Scots commissioners at Oxford urged him to admit their mediation on the basis of a common government and discipline for the Churches of both kingdoms. Charles refused, and at Hamilton's suggestion tried to raise a party against Argyle at home. Montrose went to the queen at York, assured her that the Scots would before long send an army to help the parliament, and proposed to forestall them by raising a war in Scotland.[1] Hamilton prevailed with the king to reject his offer. The government of Scotland, growing more and more alarmed at the king's success, summoned a convention of estates to meet on June 22, and the king, on Hamilton's advice, offered no hindrance. It also published papers showing that some of the royalist nobles had laid a plot to rise for Charles with the help of catholic troops from Ireland. The convention sent copies to the English parliament, which resolved that it would seek counsel of the Scots, and invite them to send representatives to the assembly of divines at Westminster on July 1. After the defeats of Adwalton Moor and Roundway Down, it went further and agreed to ask the Scots for an army. Two peers and four commoners were entrusted with

[1] Wishart, *Deeds of Montrose*, ch. ii.

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CHAP. XIII.

this commission, but the peers named took no part. Of the commoners the younger Sir Henry Vane was the ablest and the most distinguished. They were assisted by two ministers, Stephen Marshall and Philip Nye, for it was certain that the negotiation would turn largely upon ecclesiastical matters.

The conferences which began at Edinburgh on August 8 soon disclosed a want of mutual understanding. The Scots would rather have appeared in England as mediators than as allies of either party. When they found that the English commissioners required military aid, they resolved to impose upon England their own system of Church government and discipline. The English did not demur to the condemnation of episcopacy, but some of them at least favoured congregational independence which would be rigorously repressed under the Scottish system, and all disliked the inquisitorial jurisdiction exercised by the Church courts in Scotland. At last the Scots tendered an agreement on the model of their own national covenant, whereby the people of both countries bound themselves to uphold the true protestant religion in the Church of Scotland, to reform religion in the Church of England according to the example of the best reformed Churches, and to bring both into the nearest conjunction and uniformity. As the English commissioners dared not refuse outright, Vane bethought him of an amendment which might reserve some freedom to his countrymen. There was to be a reformation of religion in England *according to the Word of God* and the example of the best reformed Churches; an addition which might seem edifying and insignificant, but by referring the matter to each man's interpretation of "the Word," left it altogether indefinite. That episcopacy should be abolished in England, that the privileges of both parliaments and the liberties of both kingdoms should be maintained, that the king's authority should be preserved, and that incendiaries and malignants should be brought to justice, were matters readily accepted on all sides.[1]

About this time Montrose came to the king who lay before Gloucester, told him that he had been offered the command of the army which the Scots were about to send to the assistance of the parliament, and repeated the advice that a diversion should be attempted in Scotland.[2] Charles, for once over-

[1] Rushworth, v., 478. [2] Wishart, *Deeds of Montrose*, ch. iii.

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CHAP. XIII.

scrupulous, refused the offer and gave Hamilton a new proof of confidence by making him a duke. The Solemn League and Covenant, having been approved by the general assembly, was ratified by the convention of estates on August 17. In London the assembly of divines which had lately met approved it and the commons extended its scope to Ireland. When it had passed both houses, the commons and the members of the assembly of divines swore to the Solemn League and Covenant on September 25. Somewhat later the few peers who still lingered at Westminster swore to it also. The Scottish convention of estates then took measures to raise an army, on the understanding that the English parliament would contribute £30,000 a month to its support. The Scots became entitled by treaty to require a thing as mischievous to attempt as it was impossible to execute; namely, the forcing of England and Ireland under the presbyterian yoke. This was to be done without harming the person or infringing on the authority of a king who abhorred presbytery. England was to remain a monarchy, but peace with the monarch was rendered hopeless.

Before the Scots could enter England some months elapsed, during which the fortune of the war remained doubtful. In the east of England the parliament prevailed. The Earl of Manchester took Lynn, the only town in Norfolk held for the king. Lincolnshire was added to the eastern association. On October 11 Cromwell routed at Winceby a considerable body of horse and dragoons, which had invaded the county from Newark. On the same day the garrison of Hull made a successful sally, which dispirited the Marquis of Newcastle so much that he raised the siege. The city of Lincoln surrendered to the parliamentary forces a few days afterwards. But the armies of Essex and Waller remained too weak for an offensive movement. The king's troops coming back from Ireland were embodied in two new armies, destined the one to attack the south-eastern counties, the other to clear the enemy out of Cheshire, Shropshire, and Lancashire. Hopton took the command of the first army. The better to withstand him, the counties of Hampshire, Surrey, Sussex, and Kent were united in a south-eastern association, of which the defence was committed to Waller. Hopton began his advance early in December, found no op-

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CHAP. XIII.

position in Hampshire and took Arundel Castle on the 9th. But Waller surprised and captured a large detachment of his men near Alton, and forced him to retreat. Arundel Castle was retaken in January. Lord Byron, who commanded for the king in Cheshire, was more successful than Hopton, and by the close of the year had almost expelled the parliamentary forces.

The parliament sustained a heavier loss in the death of Pym on December 8. Although Pym fills an ample space in English history, it is hard to form a vivid conception of the man. Of his private life we know almost nothing; of his speeches we have few and meagre reports; nor are there any memorable statutes which we can ascribe to his genius. His power over a popular assembly and his sagacity in meeting difficulties and dangers as they arose are beyond question. This great revolutionary chief began with seeking to preserve rather than destroy. He arose to vindicate the ancient liberties of England and the protestant religion. He set himself against the king and the bishops because he thought that they had endangered these inestimable treasures; but he was not in any other sense the enemy of monarchy or of episcopacy. By the force of circumstances he was driven to propose those limitations on the power of the crown which were only adopted after a second revolution and a change of dynasty, as he was driven to agree with the Scots for a presbyterian reformation of the Church, which was not desired by the nation and could never be completed. Like many wise men at that time who rejected the principle of persecution, he thought that neither Roman catholicism nor anything which he held to approach it could safely be tolerated. He desired to maintain uniformity in religion tempered by indulgence to puritans more rigid than himself. It is doubtful whether he could have mediated successfully between the principles of the Scots and the principles of the independents, in other words, between the authority of the parliament and the demands of the army. Perhaps we may term him, like Hampden, fortunate in his death; but the house of commons never found such a leader again, and the superiority, not of force only, but of wisdom passed to the military chiefs.

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CHAPTER XIV.

THE SECOND PERIOD OF THE CIVIL WAR.

CHARLES had summoned all members of either house who had left Westminster or would consent to do so on promise of pardon to meet in a parliament at Oxford; and most of the peers and about one-third of the commons were ready to obey his summons. On January 22, 1644, the king opened the session in Christ Church hall. It lasted nearly three months without any effect upon the course of the civil war. The assembly at Oxford tried to open a negotiation with the houses at Westminster, which was not even begun, as they would not allow it the style of a parliament. It could only retort by declaring that the lords and commons sitting at Westminster and all who abetted them were traitors. It granted the king an excise, but vexed him with many criticisms of details. Finally it was prorogued by the king on April 16. At Westminster, the deaths of Hampden and Pym left Vane and St. John leaders of the house of commons. Of these men Vane was little more than thirty years of age and St. John was about forty-five. Neither was truly in sympathy with the mass of the puritan members. Vane, the friend of Cromwell and Milton, was in politics a republican and a democrat, and in religion a mystic, averse to Church establishments and desirous of a large toleration. St. John secretly favoured the independents and, as the event showed, was indifferent to monarchy. But Vane and St. John alike could practise an astute reserve while making themselves necessary by their talent and zeal; and both could sway the house to the best advantage, for both were resolved on a vigorous prosecution of the war, the one thing immediately needful. An ordinance instituted the famous committee of both kingdoms, consisting of seven peers and

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CHAP. XIV.

fourteen commoners, together with the four commissioners who represented Scotland. It had full control of the war, and of negotiations with foreign states, but it was to make no cessation or treaty with the king, save by the express order of both houses. Among its members were found all the chief captains of the parliament from Essex to Cromwell; but, as they were usually away on active service, the civilians determined its resolutions, which in consequence were sometimes ill-judged or dilatory.[1]

The intervention of the Scots weighted the balance of war heavily against the king. Hitherto he had gained ground, partly because he acted on a strategic plan superior to the ill-concerted measures of the parliament, partly because his cavalry were, as a rule, more effective than the cavalry opposed to them. Henceforwards he was overmatched in strength, and the territory from which he could draw men and money shrank and dwindled. Only the divided counsels of his enemies enabled him to reach another winter without total ruin. On January 19, the Scottish army, commanded by the Earl of Leven, began its passage of the Tweed. As it was 21,000 strong, the royalists of Northumberland could not meet it in the field, and fell back on Newcastle. The Marquis of Newcastle turned from the southern to meet the northern adversary, but could bring no more than 3,000 horse and 5,000 foot. Step by step he was driven towards York, while the parliamentary forces pressed up from the south to take him in the rear. The younger Fairfax reinforced Sir Thomas Brereton, the parliamentary commander in Cheshire, who had been losing ground to Lord Byron. They marched to the relief of Nantwich, then besieged by Byron, and routed his army, making 1,500 prisoners. Among these was Colonel Monk, a stout soldier of fortune, destined by his shrewdness and freedom from conviction to a memorable career. The royalists were thus thrown on the defensive in Cheshire, the towns of the West Riding, always staunch to the parliament, were freed from the last danger of attack, and the East Riding was speedily recovered by the elder Fairfax.

The fortress of Newark, which alone broke the line of communication between the capital and the advancing Scottish army,

[1] *Commons' Journals*, iii., 392; *Lords' Journals*, vi., 430.

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CHAP. XIV.

was closely beleaguered by the troops of the eastern association, under the command of Sir John Meldrum. To save it, Rupert set out from Oxford with a handful of men. Taking a circuitous route through Shrewsbury and Chester, he gathered reinforcements as he went, and on the morning of March 21 he was in sight of Newark. Enclosed between Rupert's force and the garrison sallying from the town, the besiegers had to surrender on condition of retiring without their arms or artillery. Rupert pushed on and regained the city of Lincoln, but lacked the strength either to remain in Lincolnshire or to march against the Scots, and returned perforce to Wales, where he strove to raise men and supplies. His departure allowed a free career to the Fairfaxes who stormed Selby on April 11, making upwards of 1,600 prisoners. A little later Newcastle took refuge in York, and the Fairfaxes joined Leven and the Scots, in order to form the siege. About the same time Montrose, who had at length received a commission as the king's lieutenant-general and had been created a marquis, invaded Scotland with a small force, but was speedily driven back across the border.[1]

In the south Charles was hardly less unfortunate. He had reinforced Hopton's army and ordered him to renew the invasion of Hampshire. Waller defeated Hopton at Cheriton near Alresford on March 29 and relieved London from all apprehension in that quarter. It was then resolved that Essex and Manchester should join their forces for an attack on Oxford, while Waller marched westwards to relieve the parliamentary garrisons. But the armies of Essex and Waller were far below their intended strength, and Manchester was busied until May in expelling the royalists from Lincolnshire. Money was scarcer than ever, and much time was lost in wrangling between the houses. At length the committee of both kingdoms decided that Manchester should remain in the north, and that Essex and Waller should act against Charles. The king was so weak that he demolished the works of Reading and embodied the garrison in his army. A few days later he abandoned Abingdon. The parliamentary generals might then have begun a siege of Oxford, but they had never been on cordial terms, and preferred to act separately. In order to cut off Oxford from the west, they

[1] Wishart, *Deeds of Montrose*, ch. iii. and iv.

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CHAP. XIV.

agreed that Essex should circle round to the north and cross the Cherwell at some distance above the city, while Waller, keeping to the south, should cross the Thames at Newbridge and so reunite with Essex. Essex failed to make good his passage over the Cherwell, although Waller seized Newbridge and crossed the Thames. Charles by a skilful feint brought Waller back to Abingdon and then, under cover of night, left Oxford with 3,000 horse and 2,500 musketeers and crossed the Cotswolds to Worcester; but his condition still seemed desperate, for Essex and Waller were following from the east, while other enemies threatened him from north and south. Again he was saved by the parliamentary leaders, who agreed that Essex should march to the relief of Lyme, leaving Waller to deal with the king. Thus the attack upon Oxford became impossible and the advantage of numbers possessed by the parliament was entirely lost.[1]

Seizing the opportunity, Charles at once returned to Woodstock and reinforced himself with every man who could be spared from Oxford. Then he marched on Buckingham, whence he could threaten the eastern counties or London itself. To bar his advance, the parliament sent Major-General Brown with a force of trained bands hastily raised in London and the adjoining counties. Charles lost time in hesitation until the approach of Waller forced him to turn away from London towards the north-west. The two armies came in contact near Banbury. On June 29, as they marched up the Cherwell, on opposite sides of the stream, they joined battle, almost by accident, at Cropredy Bridge, and Waller was defeated with the loss of his guns and many prisoners.[2] Shortly afterwards he effected his junction with Brown, only to suffer a worse disappointment, for his militiamen melted away when the immediate danger to their own homes had passed. Even the Londoners would not stay with their colours, and the trained bands of Essex and Hertford behaved in such a mutinous fashion that the general pronounced them only fit for a gallows here and a hell hereafter. With the few men left Waller retreated to Abingdon. His army had ceased to exist; the army of Essex was far away in Devon; Oxford was safe for

[1] Symonds, *Diary of the Marches of the Royal Army*, pp. 7-8.
[2] *Ibid.*, pp. 22-24.

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the rest of the year, and the king might assume the offensive and march whither he would. CHAP. XIV.

While the king's cause prospered thus in the south, it met with irretrievable disaster in the north. There the event of the war hung upon the relief of York. Rupert, on his return from Lincoln, had striven to form a fresh army, but week followed week before he was ready to take the field. On May 16 he left Shrewsbury with a few thousand men. He first marched towards Lancashire, where the Countess of Derby was gallantly defending Lathom House against a parliamentary force commanded by Rigby. On Rupert's approach, Rigby retired towards Bolton. Rupert stormed Bolton on May 28 and killed or took most of the defenders. Goring came in with 5,000 cavalry, chiefly men whom Newcastle had sent away from York when the investment was about to begin. Rupert then took Liverpool and almost cleared Lancashire of the parliamentarians. On June 3 the Earl of Manchester brought the troops of the eastern association to reinforce the besiegers of York, which was already in distress. Rupert still lingered in Lancashire to collect every available man, and it was not until June 28 that he crossed the Pennine Hills. On July 1 the allied commanders abandoned the siege of York and took post on Marston Moor, between that city and Knaresborough, with the intention of giving Rupert battle. Rupert shunned an encounter, crossed the Swale and Ouse and reached York that night. Next morning he met Newcastle, while the allies, fearing for the eastern counties, began their retreat by way of Tadcaster and Cawood.[1] Rupert who bore instructions from the king, implying that he must fight the allies after relieving the city, told Newcastle that he intended to fight at once. Newcastle advised delay and, it should seem, with good reason. But Rupert, young, high-blooded, and spoilt by favour and success, was not apt to practise self-denial or to wait upon occasion, and silenced the marquis by alleging a positive and absolute command from the king to fight the enemy.

He therefore pressed forwards in pursuit. Sir Thomas Fairfax, Cromwell, and David Leslie, who commanded the parliamentary rearguard, were forced to call for help from their superiors, with the result that the whole army returned to

[1] Warburton, *Memoirs of Prince Rupert*, ii., 437-38.

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CHAP. XIV.

its position on Marston Moor and formed in order of battle. Lord Fairfax's infantry, with a reserve of Scots, held the centre; the line was prolonged to the right by the remaining Scottish infantry, and to the left by the infantry of the eastern association. Lord Fairfax's cavalry, with three regiments of Scottish horse, composed the right wing, which was commanded by the younger Fairfax. The left wing consisted of the cavalry of the eastern association under Cromwell, and three regiments of Scottish horse under David Leslie. The whole amounted to some 25,000 men, the greatest force ever arrayed on a battle-field in the civil war. Rupert's force did not, perhaps, exceed 18,000 men. It would appear that Byron commanded the cavalry on the right. The cavalry on the left were commanded by Goring. Lord Eythin, who had acted somewhat as chief of the staff to Newcastle, led the central body of foot. In their rear a small reserve of horse was led by Rupert, for whom, as general-in-chief, that situation was convenient.[1] Rupert brought his line close to that of the enemy, as if for instant attack, but was persuaded not to begin the battle so late in the day, for it was about six o'clock. Then, assuming that nothing more would happen, he sat down to supper. The marquis retired to his coach to smoke a pipe, and many of the soldiers prepared to take their ease like the generals.

It was a fatal oversight, for the parliamentarians were at length ready to engage. Cromwell charged and overthrew the first line of the royalist right. Rupert hastened to the rescue, but when Leslie came up to support Cromwell, the cavaliers, after a fierce struggle hand to hand, turned and fled. On the other wing, Sir Thomas Fairfax was less fortunate. The difficulties of the ground dulled the force of his onset, and although he and a few more pierced through the hostile ranks they were not broken. Goring gave the counterstroke with such vigour that he drove Fairfax's troopers off the field, and his men pursued the chase until they fell upon the baggage train, when they dispersed to plunder. In the centre the infantry of the two armies waged an obstinate and doubtful combat. At length Lord Fairfax's men and most of the Scots gave way. The parliamentary line had been cut in two, and perhaps a half of the parliamentary

[1] See Firth's paper on Marston Moor, *Transactions of the Royal Historical Society*, N.S., xii.

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CHAP. XIV.

troops, with Lord Leven and Lord Fairfax, were in full flight, when the battle, to all seeming lost, was saved by Cromwell's clear glance and swift resolution. The troops of the eastern association, horse and foot alike, had been victorious in their own part of the battle. At Cromwell's word the whole mass wheeled round across the moor and fell on the royalist flank and rear. The infantry assailed those regiments which were bearing down the Scots. The cavalry pushed farther towards the royalist left. Goring's men were returning, but slowly and in disarray. Cromwell and Leslie charged home and routed the cavaliers on the very ground where less than two hours before they had routed the parliamentary horse. The king's infantry were thus left to contend alone against enemies closing all around. Newcastle's gallant regiment, the renowned Whitecoats, drew together in a fenced field where they long withstood charge after charge. When at last their ranks were broken, they refused all offers of quarter and fought desperately hand to hand against overpowering numbers, until no more than thirty remained alive. Their devotion was glorious to themselves but unavailing for their cause. Night fell on the total overthrow of the king's army.

Seldom has so brief a battle been so murderous as the battle of Marston Moor. Rupert lost 3,000 men slain, besides many prisoners and all his artillery and baggage. Newcastle, who had fought against his will and would not return to court a beaten man, hastened to Scarborough and took ship for the continent. With him went Lord Eythin and other officers. Rupert with all the cavalry that remained, about 6,000 men, left York and returned to Shrewsbury to seek afresh the means of continuing the struggle. A fortnight after the battle York was surrendered by the governor, Sir Thomas Glemham. Then the victors parted their forces in order to complete their work. Leven marched northwards to besiege Newcastle; the Fairfaxes undertook to reduce the fortresses still held for the king in Yorkshire; and Manchester returned into the territory of the eastern association. By the battle of Marston Moor the king lost all the lands beyond the Humber and was thrown on the defensive for the rest of the war; yet a few weeks later he won a brilliant success which cheered the drooping spirits of his followers and delayed his final ruin.

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CHAP. XIV.

After relieving Lyme and occupying Weymouth, Essex menaced Exeter, where the queen had taken refuge and had given birth to her youngest daughter, Henrietta, afterwards Duchess of Orleans. Still weak in health she desired a safe-conduct to visit Bath, which Essex refused, although he offered to escort her to London. She declined and made the best of her way to Falmouth whence she sailed for France. On July 12 Charles set out from Evesham in pursuit of Essex. A fortnight afterwards he reached Exeter and was joined by Prince Maurice with the troops which had besieged Lyme. Essex at Tavistock, far from his base and followed by an army at least equal to his own, was in extreme peril; yet he allowed some of his officers who had estates in Cornwall to persuade him that he might easily conquer that county, and pushed on to Bodmin. Once more the Cornishmen rose for the king, who was coming up fast to their support. Conscious of his danger Essex made for Lostwithiel, where he would be near the sea, and sent messages to parliament begging that Waller might be ordered to attack the king's rear. But Waller was too remote and too weak for offensive action. The king occupied the heights above Lostwithiel and Polruan fort overlooking the narrow entrance of Fowey harbour, through which Essex hoped to receive succour. When the parliamentarians had exhausted their supplies, it was resolved that the cavalry should try to break through the king's lines, while the infantry fell back on Fowey, there to embark, if it were possible. Shortly before dawn on August 31, Sir William Balfour with 2,000 horse, not undiscovered but almost unhurt, passed through the king's quarters and took the road to Plymouth. The infantry, less fortunate, were entangled and cut off on the short but difficult march to Fowey.[1] Essex stole away in a boat to Plymouth, and Skippon, the second in command, surrendered on condition that his men should be allowed to depart without their arms. Whether from reluctance to shed blood or from the difficulty of feeding his own army and his captives, Charles thus threw away the fruits of the most complete victory which he ever won.

For the time, however, the parliament was left without a force able to take the field. Essex's infantry was useless until

[1] Symonds, *Diary*, pp. 49-68.

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it should have been re-armed. Waller with a small body of horse was at Farnham in Surrey. The army of the eastern association in Lincolnshire numbered barely 6,000 men. Sickness and want of pay chilled the temper of the rank and file. The chiefs were divided by incurable schism. The Earl of Manchester was an indifferent soldier and a staunch presbyterian. He had no heart to fight the king and he was perturbed at the growth of independency among his men. Cromwell, his lieutenant-general, longed for action and dreaded a presbyterian settlement. He avowed that he wished to see none but independents in the ranks of the eastern association, and could as readily draw his sword against the Scots as against any of the king's party. He disparaged nobility itself and declared that he hoped to see never a nobleman in England. In these circumstances the army of the eastern association lay at Lincoln nearly two months, doing almost nothing and becoming daily less effective. Charles determined to return eastwards and relieve two fortresses besieged by the parliamentarians, Banbury and Basing House, which had been long and gallantly held for him by its owner the Marquis of Winchester. His strength was grievously reduced, for most of the Cornishmen would not follow him out of Cornwall, and he detached troops to blockade Plymouth, Lyme, and Taunton. Even the soldiers that remained were often difficult to pay and feed.

In order to hold back the king, the committee of both kingdoms sent Waller forward to Shaftesbury with all the horse available, ordered Manchester to march to his support, and took measures to reorganise and equip the army of Essex, which lay around Portsmouth. Manchester sullenly obeyed, but when he came to Reading would go no farther, because he wished to return and cover the eastern counties from the inroads of the garrison of Newark. In the beginning of October, therefore, Waller abandoned Shaftesbury. Manchester, who had been reinforced with five city regiments, at length advanced to Basingstoke, where he was joined by Waller. Two days afterwards Essex arrived from Portsmouth with 5,000 men. In presence of the combined force, 19,000 strong, the king could not attempt to relieve Basing House, and after providing for the relief of Banbury, he resolved to keep on the defensive. The parliamentarians might have overwhelmed him had they been pro-

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CHAP. XIV.

perly led. But the committee of both kingdoms, unable or afraid to name a commander-in-chief, entrusted the army to a council consisting of the three generals, several officers, and two civil members of their own body. Such a board has rarely won a campaign.

Although Essex was disabled by illness, the council of war resolved to seek the king and fight him wherever he should be found. He had taken a position near Newbury between the Kennet and the Lambourn. The meeting of these rivers protected his front. Beyond the Lambourn his flank was covered by Donnington Castle and an entrenched outpost at Shaw. In the rear Prince Maurice held the village of Speen. The whole army did not much exceed 10,000 men, but it was so well posted that the council of war would not attack front to front. They decided that a part of their forces under Balfour and Skippon, assisted by Waller and Cromwell, should make a long flank march round Donnington Castle and assail the royalists in the rear at Speen. At the sound of their cannon Manchester was to attack Shaw and so divide the forces of the enemy. On the afternoon of the 27th the fight began. The soldiers of Balfour and Skippon delivered their attack boldly, carried the village of Speen and took several guns. Manchester failed because he would not move until the evening was almost spent. The second battle of Newbury thus proved indecisive, but Charles was not strong enough to await a second attack. Leaving his heavy guns in Donnington Castle, he retreated under cover of the night to Wallingford and thence to Oxford, where he was joined by Rupert with 5,000 men from the west. After bestowing on Rupert the command-in-chief hitherto held by the Earl of Brentford, he came back to relieve Donnington Castle and remove his artillery. He offered battle to the parliamentarians, who were so much thinned by sickness and desertion that they would not accept it. He then retired without their daring to pursue, and closed in honour and safety a campaign which had opened with every likelihood of his overthrow.[1]

The king might ground new hopes on those dissensions among his enemies which daily became more notorious. The sects had gained ground during the virtual toleration resulting from the civil war. They were the nerve of the army of the

[1] Symonds, *Diary*, pp. 144-49.

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CHAP. XIV.

eastern association. The prowess of Cromwell and his veterans on Marston Moor had taught them to know their strength and claim their freedom. The misconduct or misfortune of the presbyterian and aristocratic generals, Essex, Waller, and Manchester, tended to depress their party. On the other hand, the Scottish alliance gave new strength and fervour to the presbyterians. All parties were kept on the alert by the belief that a reconstruction of the English Church was at hand, and every difference was accentuated by the debates of the assembly of divines. That assembly was not, indeed, like the Scottish general assembly, a governing body; it was merely consultative, destined to enlighten parliament, not to legislate. It contained ten members of the house of lords and twenty of the house of commons. The Scots had eight representatives in the assembly. The English divines were almost all staunch presbyterians, but a few, such as Burroughs and Goodwin, without professing to be independents, were enemies of any coercive Church government, and were in fact the spokesmen of those who disliked presbytery. The assembly first entered on a revision of the thirty-nine articles. Then it proceeded to discuss Church government and discipline. The debates were long and laborious. From the summer of 1644 onward the Scots became bitterly hostile to the sectaries as the chief obstacle to uniformity between the two Churches. The sectaries dreaded the presbyterian domination so much that some of them would gladly have treated with the king on the basis of a general freedom of conscience.

A personal quarrel gave point to the abstract controversy. The campaign ending in the second battle of Newbury had disclosed the lack of unity, vigour, and intelligence among the parliamentary leaders, and Manchester had been the most ineffective of all. He had avowed his own indifference to the war. "If we beat the king ninety and nine times, yet he is king still, and so will his posterity be after him; but if the king beat us once, we shall all be hanged and our posterity made slaves." Cromwell in the house of commons accused him as the prime cause of failure. Manchester in the house of lords defended his own military acts and denounced Cromwell as an enemy to the nobility and to the presbyterian system, quoting Cromwell's bitter words against the Scots and the assembly of

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CHAP. XIV.

divines. The commons showed an instinctive sympathy with their own member and referred Cromwell's charges to a committee. The lords took Manchester's part and the Scots gave their support to the lords. Discerning in Cromwell a foe to presbytery more dangerous than Charles, the Scottish commissioners secretly debated with the presbyterian leaders and the Earl of Essex whether he should not be prosecuted as an incendiary. They were advised that success was unlikely and the matter dropped, but it came to Cromwell's knowledge.[1]

It was clear that the war should either be ended by treaty or waged in a different fashion. Peace was desired on both sides, for both felt exhausted by their efforts. But neither party was prepared for those terms on which alone peace was possible, and a new negotiation proved as fruitless as those which had gone before. In November the houses adopted propositions, embracing the familiar topics of religion, the militia, and the delinquents, which were carried to Oxford on the 20th. There was no likelihood that Charles would accept them. To the parliamentary commissioners he said: "There are three things I will not part with, the Church, my crown, and my friends; and you will have much ado to get them from me". Nevertheless the king and the parliament agreed to name commissioners for the settling of a peace. More fruitful than negotiation was the attempt to form an effective army and to find generals with whom military success overrode political scruples. The one need was satisfied by the new model; the other by the self-denying ordinance.

In November the counties most zealous for the cause, the eastern association, declared that they could no longer bear the burden of their army and entreated the houses to find a remedy. The commons referred the petition to the committee of both kingdoms with directions to consider of a frame or model of the whole militia. After long deliberation the committee resolved that the army ought to consist of 21,000 men and that its pay should be secured by regular monthly taxation. This army, distinct from the local levies which would still be needed for local service, was to be available for service anywhere. It could be kept under discipline, because it would be

[1] Whitelocke, *Memorials*, pp. 116-17.

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CHAP. XIV.

paid with punctuality. The necessary taxes were to be levied on the counties least vexed by the war and therefore best able to bear a new burden. An ordinance embodying these resolutions was adopted by the commons on January 11, 1645, but the lords received it coldly, as if they foresaw that the new army would be democratic and anti-presbyterian in temper.

For the same reason the lords were frankly hostile to the self-denying ordinance. Its origin was almost accidental. The committee appointed to examine the charges which Cromwell and Waller had brought against Manchester sent up a report stating in general terms that the chief causes of division were pride and covetousness. In the debate which followed Cromwell declared that the public were accusing members of both houses who held high commands of prolonging the war in order to prolong their own greatness. Tate, the chairman of the committee, moved the exclusion of members of either house from all office or command, civil or military, during the war. Vane seconded the motion, which seemed impartial as between the officers concerned in the late disputes. On this motion the first self-denying ordinance was framed. It went up to the lords on December 19, but there it was sharply attacked. Unbroken tradition recognised the peers as the military leaders of the people. Pride, fear of extreme counsels, and distaste for the sectaries, as well as the natural hesitation to change almost all the generals in the midst of a doubtful war, moved them to reject the ordinance. The commons retorted by threatening to press the inquiry into Manchester's conduct and by naming Sir Thomas Fairfax commander-in-chief and Skippon major-general. The place of lieutenant-general was left vacant, but there is little doubt that it was designed for Cromwell. The houses had nearly come to an open breach.[1]

At this very time the condemnation and execution of Archbishop Laud showed how vain was the hope of any real understanding between the parliament and Charles. Down to the autumn of 1643 Laud had remained in the Tower, forgotten, it might seem, by his enemies. The Solemn League and Covenant ensured his doom, for it gave the Scots power to gratify their hatred. In March, 1644, the archbishop appeared at the

[1] *Commons' Journals*, iv., 26; *Lords' Journals*, vii., 135.

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CHAP. XIV.

bar of the lords. He was charged with treason in attempting to change the religion and the fundamental laws of England. The trial was drawn out until October, yet it could not be proved that Laud had committed any treason known to the law. As in Strafford's case, the peers seemed doubtful what judgment to give and the enemies of the accused had recourse to popular pressure. They presented to the commons a petition for Laud's execution. The commons then resolved to abandon the impeachment for an ordinance of attainder. The lords, who had some sense of their humiliation, would fain have resisted, but they were shrunk to a mere remnant, powerless in a controversy where the whole presbyterian and Scottish interest as well as the sects were arrayed on the side of the commons. After a conference with the other house they gave way and passed the ordinance of attainder on January 4, 1645. Laud produced a pardon from the king sealed in April, 1643, but it was set aside and he was beheaded on January 10. To the last he preserved the firmness and dignity of a man who is conscious of his own rectitude. His enemies were equally assured that they had brought a great criminal to justice. At the present day, those who can least approve the policy or the temper of the archbishop will be revolted by the rancour of the house of commons.[1]

Within three weeks after his execution the commissioners to treat for a peace met at Uxbridge. The parliamentary commissioners were instructed to demand a presbyterian reformation of the Church, the permanent control of the militia and the navy by the parliaments of England and Scotland, the annulling of the Irish cessation, and full freedom to carry on the war in Ireland. The king's commissioners propounded a scheme which had been approved by the clergy at Oxford, allowing a full toleration in matters of ceremony. This offer, comparatively liberal as it was, obtained no response. There could be no understanding as to religion, for the king would never consent to forego episcopal government in England, and the Scots were assured that, if they did not force presbyterian government on England, they would not long enjoy it at home. Nor could the commissioners agree about the militia. The king

[1] Troubles and Trial of Archbishop Laud, *Laud's Works*, vols. iii. and iv.; Heylyn, *Life of Laud*, pp. 513-37.

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CHAP. XIV.

offered to entrust it for three years to a body of persons named half by himself and half by the parliament, but this the parliament could not deem enough. About Ireland the commissioners disputed in vain. At last the king's representatives proposed that both armies should be disbanded, and that the king should come to Westminster. The proposal seems to have been a ruse and was rejected. On February 22 the treaty of Uxbridge ended in total failure.[1] The Oxford parliament, which had reassembled in January and had expressed a longing for peace, was prorogued by the king early in March.

As the issue of the negotiation became more and more apparent, presbyterians and independents, English and Scots, became more friendly and for a time forgot their quarrels to prosecute the war with renewed vigour. The lords declared themselves ready to pass the new model ordinance with certain safeguards, of which the chief, that all officers and soldiers should take the covenant, was accepted by the commons. On February 15 the new model ordinance passed the lords. At the same time a new self-denying ordinance was brought into the commons. It disqualified no man; it only enacted that, within forty days, all members of either house should resign any office bestowed by the existing parliament.[2] The lords passed it on April 3. Essex, Manchester, and Waller laid down their commands, and Warwick resigned his office of lord high admiral. Thus the old leaders of the parliamentary forces made way for men more entirely bent upon the work in hand, but less deeply concerned for the supremacy of parliament. The same ordinance which ensured the victory of the houses over the king began the revolution which transferred power from the houses to a great general.

The armies of Essex, Manchester, and Waller had been so much thinned that they could not furnish half the men required for the new model. Volunteers being scarce, upwards of 8,000 recruits were raised by impressment, and did not always submit to their fate without a struggle. Desertion was for some time frequent. But good pay and strict discipline gradually improved the tone of the privates, long and successful service kindled their martial ardour, and the puritan zeal common to most of the officers and some of the men leavened the whole

[1] Clarendon, *History*, viii., 214-52; Whitelocke, *Memorials*, pp. 123-33.

[2] *Commons' Journals*, iv., 88; *Lords' Journals*, vii., 303.

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CHAP. XIV.

body. The new model became such an army as has never been surpassed, perhaps never been equalled, in England. It also became the mainstay of those sects which dreaded equally an Anglican or a presbyterian domination. The rank and file were never forced to take the covenant, and many officers took it with those reservations to which the sternest enthusiast at times will condescend. As the soldiers could not obtain liberty of conscience from king or parliament, they proceeded from democracy in religion to democracy in politics. Many of the doctrines which in the following century shook Europe and America were first proclaimed by the warriors of the new model.

The king resolved to place at least his eldest son as far from danger as he might. His western friends, following a precedent set by the other party, had planned an association of their counties. To encourage and direct their labours, young Charles was sent to hold his court at Bristol, and with him as counsellors went Hyde, Capel, Culpepper, and Hopton. They found that nothing had been accomplished and that Goring with his unpaid troops was making such ravages as quenched all goodwill in the country people.[1] The like oppression and the like discontent were spreading through the rest of the king's territory. In Herefordshire the countrymen rose by thousands and beset the city of Hereford. Such irregular musters of what were known as "clubmen," with no other aim than the defence of home and livelihood, often recurred in the last period of the war. The king himself decided not to remain in Oxford until he was hemmed in by superior forces, but to take the field in the hope of dealing a heavy blow at some weak point. The new model could not be made ready for the field before May. As Montrose had at last effected a diversion in Scotland, the Scots could not hope for reinforcements and would hardly dare to march southwards while uncertain of the fate of their own country. Charles intended to join Rupert, who was raising fresh troops in the valley of the Severn, and then to march against the Scots. On hearing of his design, the parliament sent Cromwell, who had not yet surrendered his commission, to disable the king from moving. Cromwell swept round

[1] Clarendon, *History*, viii., 253-58; ix., 7-27, 49-51.

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Oxford, routing the royalists at Islip and carrying away all the draught horses for a space of many miles. At the end of April Charles was still without teams to draw his artillery. He therefore summoned Rupert and Goring to join him at Oxford. Sir John Berkeley remained behind in Somerset to besiege Taunton.

The committee of both kingdoms ordered Fairfax to relieve Taunton as soon as he could march. By this false move the royalists were left free to unite their forces and take the offensive. Too late the committee ordered Fairfax to return with his main body, merely sending on a detachment to relieve Taunton. Charles, finding his generals at strife, and unable to assert his own authority, resolved to march northwards with Rupert, while Goring returned westwards to help in making head against Fairfax. Thus to divide his forces was to woo destruction, but he was again saved by the committee. Misled by information that Oxford would open its gates at the first summons, they ordered Fairfax to besiege that city, and leave the Scots to join battle with the king. The Scots complained that, while their pay was in arrear, they were put upon the hardest and most dangerous service, and Leven, instead of advancing, retreated towards Westmorland, so that he might thwart a junction between Montrose and the king. On the approach of Charles through Shropshire, Brereton raised the siege of Chester. But Charles felt so apprehensive for Oxford, where supplies were low, that he turned eastwards from Market Drayton towards Leicestershire, whence he might march northwards or southwards, as circumstances should determine. He raised the spirits of his men by the storm and sack of Leicester on May 31. He still hoped for reinforcements from South Wales and the West of England, which never came, and at last he turned back to relieve Oxford, thus abandoning his original plan of campaign.

On hearing that the king had taken Leicester, the committee of both kingdoms ordered Fairfax to raise the siege of Oxford and march to the defence of the eastern association. The king learnt at Daventry that Oxford was safe for the moment, and he remained there collecting sheep and cattle to re-victual the city until Fairfax approached. The commons, on the petition of Fairfax and the officers, had named Cromwell

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CHAP. XIV.

lieutenant-general and he joined the army on June 13 with 600 horse. On the same day the king quitted Daventry, with Fairfax in close pursuit, and marched towards Market Harborough. There on the memorable morning of June 14 the royal army was marshalled for the fight. When the enemy did not appear, Rupert took the road to Naseby and soon descried them retreating, he thought, in reality exchanging a weaker position for a stronger, as they had learnt that the king was ready for battle. Unable to resist the temptation, Rupert ordered a general advance.

The army of the parliament, 13,600 strong, had formed on the high ground to the north of the village of Naseby. In the centre, under Skippon, were the foot, about one-half of the whole force. The cavalry were led by Cromwell on the right and by Ireton on the left. In the rear was a reserve, and further back, near Naseby, the baggage guard. A hedge on the left running at right angles to the line was held by Colonel Okey's dragoons. On the opposite verge of the valley known as Broadmoor the royalists, numbering about 7,500, were drawn up in a like order, the foot under Astley in the centre, Rupert's horse on the right and Langdale's on the left, the king himself leading the reserve. Weaker though the royalists were, they took the offensive, crossed the valley, and charged up the hill. Even so Rupert's onset might not be withstood. Ireton's horse were routed, Ireton himself was struck down, and Rupert pushed as far as the baggage guard which refused his summons. He was then recalled by the course of events elsewhere. The king's infantry had driven back the first line of the parliament and had fallen fiercely on the reserve. But on the right Cromwell had routed Langdale's horse. Sending part of his troopers in pursuit, he threw himself with the rest on the flank of the king's infantry. The king gave the word for his reserve to charge; but the next moment the Earl of Carnwath who rode by his side caught at his bridle, exclaiming, "Will you go upon your death?" and some one else gave the word, "March to the right". The whole body turned and fled a quarter of a mile before it could be halted. Rupert's horse had not yet come back. Thus the infantry were left to their fate. With Skippon's men re-formed in front, Cromwell's horse charging on one flank and Okey's dragoons pouring in a heavy fire on the other, they could not

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long hold their ground, but threw down their arms and were admitted to quarter. Rupert at length returning found that all was lost and shared the king's flight to Leicester.[1] CHAP. XIV.

At Naseby Charles suffered total and irreparable defeat. He lost 1,000 slain, nearly 5,000 prisoners, all his guns, tents, and baggage, and even his most private papers, which were soon afterwards published by the parliament to the great injury of his cause. His own errors and those of his general had wrought this ruin. By indecision in the conduct of the campaign Charles threw away his one advantage of time. By rashly attacking a superior force in a strong position Rupert invited disaster. By failing, as on other fields, to rein up and return from a successful charge, he rendered defeat certain. Fairfax throughout had acted with all the zeal and judgment which his masters would allow. Cromwell had again proved himself the best captain of horse in England. The heavy odds in their favour lessened the glory of the troops and the victory was defiled by the most brutal usage of the poor women who followed the king's camp. About 100 of them, being Irish, were knocked on the head; the Englishwomen were gashed in the face.

As Charles had lost the north by the battle of Marston Moor, so he lost the midlands by the battle of Naseby. The scattered fortresses which he still held there he could not keep save by raising another field army. For this purpose the only territories still ruled by him, Wales and the west of England, were too narrow, too poor, and too much exhausted by frequent levies of men and money. Thenceforwards the king was a fugitive and a broken man, who might prolong the contest for a few months, but could not prevail except by miracle. He continued his flight towards Hereford. Leicester surrendered to Fairfax on June 18. Leven with the Scots began his march southwards and set Fairfax free for operations in the west, where alone the king still had an army. As Fairfax traversed Wiltshire and Dorset, he dealt mildly but firmly with the clubmen who demanded that the war should cease. When he entered Somerset, Goring raised the siege of Taunton and entrenched

[1] Sprigge, *Anglia Rediviva*, part i., ch. v.; Carlyle, *Cromwell's Letters and Speeches*, Letter xxix.; Symonds, *Diary*, pp. 179-96.

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CHAP. XIV.

himself to the north of the Yeo and the Parret, with Bridgwater for his place of arms. But the careless, drunken Goring was not the man to snatch victory out of disaster or even to fall with honour. Fairfax turned his position and brought him to a battle near Langport, where, with every advantage of the ground, he was beaten on July 10. Goring's infantry surrendered and he fell back on Bridgwater with a few horsemen. Although great hopes had been built on the strength of Bridgwater, it was taken after a week's siege and with it magazines of food and ammunition which the royalists could not hope to replace.[1]

Fairfax, resolving to perfect the conquest of the country in his rear, turned first against Sherborne Castle in Dorset, which closed an important line of communication. On his way he induced Bath to surrender. He pushed the siege of Sherborne so briskly that it surrendered on August 15. On the 23rd he invested Bristol, which was ill prepared for resistance. The lines drawn around the city by Fiennes were no stronger than when he had surrendered it, and they were too extensive to be held by a small garrison. Rupert himself was in command, but could not muster above 2,000 men. Yet there was a faint hope that Fairfax might be compelled to raise the siege. In the hope of joining Montrose, who was at this time master of Scotland, Charles had pushed northwards with a body of horse. Leven, who was besieging Hereford, detached all his cavalry under David Leslie to follow the king and General Poyntz mustered all the parliamentary forces in Yorkshire to bar his way north. Charles gave up his design, but the report of Montrose's crowning victory at Kilsyth caused Leslie to march for Scotland. Then Charles returned westwards, and Leven, who had no cavalry, raised the siege of Hereford, and retreated to Gloucester. Charles hoped to relieve Bristol next, but his forces were too weak and recruits were scarce, for the Welsh had lost heart. Before he could move, Fairfax stormed the lines round Bristol, and on the following day, September 11, Rupert surrendered the city on condition of a safe departure for the garrison. Angered and dismayed at this terrible blow,

[1] Sprigge, *Anglia Rediviva*, part ii., ch. i.-ii.; Clarendon, *History*, ix., 57, 68.

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Charles deprived Rupert of his command and sent him a pass to go beyond the seas.[1] CHAP. XIV.

Yet a third time Charles with a scanty following tried to join Montrose. He made for Chester, which was besieged by a parliamentary force under Colonel Michael Jones. Jones did not attempt to hinder the king's entrance. Poyntz, who came in pursuit, defeated his cavalry on Rowton Heath on September 24, and almost at the same moment a sally was repulsed by Jones, in sight of the king who watched the combat from the city wall. Charles could neither stay in Chester nor continue his journey to Scotland, but wandered with uncertain aim and dwindling hope from one to another of his remaining fortresses, until, at the beginning of November, he sought a refuge in Oxford. Many of his outposts had fallen. The castle of Devizes was surrendered on September 23, the castle of Winchester on October 5, and Basing House was stormed on the 14th. The whole south of England, so far as the borders of Devon, was in the obedience of the parliament, and Fairfax went into winter quarters around Exeter. The king's western army could neither enlarge its bounds nor recruit itself within the shrunken territory which it still occupied.[2]

While the king's fortunes were declining in England, a great soldier had waged on his behalf a war in Scotland which for a moment seemed likely to regain all that had been lost in either kingdom, although it ended in an overthrow more absolute than the disaster of Naseby. Having vainly sought help from Rupert after the battle of Marston Moor, Montrose made his way across the lowlands in disguise. In the loyalty of the highlanders, and still more in the jealousy which other clans felt for the powerful and ambitious Campbells, who followed their chief in maintaining the covenant, he hoped to find the means of executing his project. The Macdonalds, wherever they might be found, were the bitterest enemies of the Campbells. The Earl of Antrim had sent over for the king's service a body partly of old Irish and partly of Macdonalds settled in Ireland, under Alaster Macdonald, whom Montrose summoned to his aid, thus obtaining the nucleus of an army. He next

[1] Sprigge, *Anglia Rediviva*, part ii., ch. iii.-iv.; Carlyle, *Cromwell's Letters and Speeches*, Letter xxxi.; Clarendon, *History*, ix., 90-91.

[2] Sprigge, *Anglia Rediviva*, part iii., ch. i.-v.

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CHAP. XIV.

persuaded the Robertsons, the Stuarts, and other clans of the southern highlands to espouse the king's side. But the alarm had been given, and enemies were gathering all around. While Lord Elcho mustered a force to cover Perth and the lower valley of the Tay, Argyle and his Campbells were coming up from the west, and a third army was forming at Aberdeen. Lord Elcho was the nearest enemy, and Montrose instantly marched from Blair Atholl to his encounter. They met at Tippermuir, three miles west of Perth. Montrose had 3,000 ill-armed foot, Elcho 7,000 foot, 700 horse and a train of artillery; but Montrose's men had been trained to war from boyhood, and Elcho's men were a raw militia. At the first onset they broke and fled, the highlanders doing terrible execution in the pursuit. On the same day, September 1, 1644, Montrose entered Perth.

No general ever understood better than Montrose the value of time. Three days after the battle of Tippermuir he was on the march for Aberdeen. Many of his highlanders had left him to put their spoils in safety, but some recruits came in from Forfar and Kincardine, although the great royalist clan of Gordon still held aloof. On the 13th he found 2,500 covenanters under Lord Balfour of Burleigh well posted outside the city. Montrose had barely 1,500, but his own skill and the steadiness of Alaster's men gained a complete victory. Aberdeen could offer no resistance and was sacked without mercy. Only Argyle's army remained to the government. Montrose finding his numbers, as usual, thinned by victory, showed himself as prudent as he had been bold, and led his enemy on a long and vain pursuit through the mountains, until Argyle, worn out by forced marches and foul weather, gave up a hopeless task, dismissed his clansmen, and resigned his command.

Although it was then midwinter, Montrose would gladly have invaded the almost defenceless lowlands. But the chieftains around him, hereditary foes of the house of Campbell, who were more concerned to humble their mighty neighbour than to restore the king's authority at Edinburgh, persuaded Montrose to invade Argyleshire. As the Campbells deemed their country inaccessible, the passes were unguarded save by the snowdrifts. The invaders glutted their rage by burning every house and slaying man and beast. After

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CHAP. XIV.

a month spent in this havoc, Montrose marched northwards into the great glen now traversed by the Caledonian Canal. Once more he found himself enclosed between hostile armies. The Earl of Seaforth with 5,000 men had taken post on Loch Ness. Argyle, with the whole power of the Campbells and two lowland regiments, was following in Montrose's rear. As most of Montrose's men had gone home to store their spoils, he was scarcely 1,500 strong, yet he contemned Argyle so thoroughly that he only feared lest the Campbells should escape. On February 2, 1645, he fell furiously upon the enemy at Inverlochy. Argyle took the excuse of a recent hurt to resign the command to his kinsman, Sir Duncan Campbell of Auchinbreck. The lowlanders fled, the Campbells were mostly cut to pieces, and 1,700 corpses strewed the field.

From Inverlochy Montrose marched against Seaforth, who did not dare to await his coming. For several months he continued to wage with surpassing skill and valour that desultory warfare to which he was confined by the unstable character of his forces. He surprised Dundee in April, but was forced to regain the mountains. In May he defeated one covenanting force under Colonel Hurry at Auldearn, not far from Elgin. In July he defeated another under General Baillie near the village of Alford on the Don. A week later the Scottish parliament assembled at Stirling. They still undervalued their enemy so much that they would recall no troops from England, but raised a new army in the southern counties. Baillie remained general under a supervising committee of nobles, who might indeed have learnt wisdom by experience, for among them sat Elcho, Argyle, and Balfour of Burleigh. In order to prevent a junction between Baillie and the Earl of Lanark who was bringing troops from the west, Montrose took post at Kilsyth, midway between Stirling and Glasgow. Baillie was forced to follow lest Lanark's troops should be destroyed and the committee were eager to fight lest Montrose should escape. On August 15 the two armies met. Montrose had about 5,000 men, the covenanters about 7,000. Designing to cut off Montrose's retreat, they began a flank march across his front. Forthwith Macdonald dashed at their extended line and their whole army broke up in confusion. No quarter was given, and it is said that 6,000 covenanters fell. The few survivors

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CHAP. XIV.

scattered in all directions and Scotland lay at the feet of Montrose.

Montrose then exchanged the part of the conqueror for that of the statesman. As the king's lieutenant, he summoned a parliament to meet at Glasgow in October. He trusted soon to enter England with such an army as might restore his master's sinking cause. But never perhaps in history did hero enjoy a briefer time of success. In order to complete his task, Montrose had to keep the goodwill of the highlanders and gain the goodwill of the lowlanders. It was difficult, almost impossible to do either. The mountaineers had followed him, not from devotion to any political or ecclesiastical system, but for the joy of battle and the sweets of plunder which he could no longer bestow. They were displeased that he should save Glasgow from the promised pillage, and they melted away to their glens, although they undertook to return at need. The lowlanders were incensed, not merely by defeat, but by the ferocity of the victors. Although Montrose himself was far from cruel, he had not the means of controlling his followers as a regular army is controlled by its chief, and they had marked his path with rapine and slaughter. The lowlanders still held by the covenant and were ill-disposed to trust Charles with the future of presbyterianism. Some of the royalist nobles bore a grudge to Montrose as an equal who had become their master. When David Leslie recrossed the border, Montrose could muster at Kelso no more than 1,200 gentlemen on horseback and 500 Irish foot, the survivors of Alaster Macdonald's band. A few days afterwards his camp on Philiphaugh, beside the Ettrick Water, was startled by the on-rush of 4,000 horse, and his men in a brief space were scattered or slain. Some few were admitted to quarter, but the clergy allowed Leslie no quiet until they were massacred. The women and children found in the camp shared the same fate. Twenty-nine days after the rout of Kilsyth had given Scotland to Montrose, the covenanters had regained the kingdom, and he became a fugitive under the ban of Church and State.[1] Charles learnt the extinction of his Scottish hopes soon after his own discomfiture on Rowton Heath. Many of his followers saw that all was over; but the

[1] For the campaigns of Montrose see Wishart, *Deeds of Montrose*; Patrick Gordon, *A Short Account of Britain's Distemper*,

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king still nursed the hope of aid from Ireland or from the continental powers. CHAP. XIV.

In July, 1644, Charles empowered Ormond, whom he had made lord-lieutenant, to resume negotiations with the supreme council, and in September the Irish stated their demands. They required not only freedom of worship, but also repeal of the statutes abrogating papal jurisdiction. Charles could not go so far without raising all Britain against himself. At that very time the temper of the parliament was shown by an ordinance refusing quarter to Irish soldiers taken in England or at sea. Yet the course of events made him more and more impatient for that Irish succour which could be obtained only by a delicate and hazardous negotiation. For this purpose he employed Lord Herbert, a catholic, whose fidelity he had proved, and whom he had raised to be Earl of Glamorgan, and chosen to command the Irish army, when it should appear in England. Glamorgan received instructions of studied vagueness, empowering him to act in matters where the lord-lieutenant was not willing to be seen and which the king could not conveniently acknowledge. Various causes delayed his arrival in Dublin until August, 1645, when the king's affairs were fast going to ruin. He found that the Irish, especially the clergy, had raised their demands. They required that all the churches actually in the possession of catholics should be confirmed to them, and that catholics should be freed from all ecclesiastical jurisdiction save that of their own clergy. Glamorgan was induced to sign, on August 25, a secret treaty granting all the points in dispute. The supreme council then invited Ormond to take the field with them against the Scots in Ulster. Ormond declined, and in matters of religion would not swerve from his instructions, which fell far short of authorising the agreement made by Glamorgan. About the same time the nuncio sent by Innocent X. to the Irish confederates, Giovanni Battista Rinuccini, Archbishop of Fermo, landed at Kenmare and proceeded to Kilkenny, bringing a supply of money, arms, and ammunition which heightened the influence of his sacred character.

Rinuccini, who had nothing to consider but the interests of Rome, was not disposed to let a heretical prince have orthodox help at a low rate. He drew Glamorgan into promising the virtual re-establishment of catholicism in Ireland. Glamorgan

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CHAP. XIV.

returned to Dublin, where he found a chill reception, for the secret treaty had already been divulged by accident. A copy was found on the catholic archbishop of Tuam, who, while taking part in the siege of Sligo, had been killed in a sally of the garrison. Lord Digby, the king's secretary, who had recently come to Dublin, saw the danger and denounced the treaty. The council put Glamorgan under arrest and sought for the king's direction. About the same time the parliament, having got possession of the secret treaty and other documents, ordered them to be published. The terrible effect was little impaired by the king's disavowal or even by his shameless declaration that he had resolved on leaving Irish affairs wholly to the parliament. Without obtaining one soldier from Ireland he had incurred unspeakable distrust in England.[1]

The endeavours of Charles and his queen to get help from abroad were equally vain. Henrietta Maria reached Paris in November, 1644. The French, who were at war with Spain and the empire, could not afford to divide their strength or multiply their foes. Cardinal Mazarin, who then guided the state, wished to keep the English busy at home, and with that object promised money to the Irish confederates, but he steadfastly refused to interfere in England. The joint body of English and Irish catholics in Paris sent Sir Kenelm Digby to solicit aid from the pope. When he held out hopes that, if the king were restored by catholic succour, he might return with his people to the Roman fold, he was asked what credentials he bore from the king, and, as he could show none, he was put off with a promise of 20,000 crowns. The queen tried to engage Charles, the exiled Duke of Lorraine, who had turned soldier of fortune and had formed an army of adventurers in the thirty years' war. She hinted to the Prince of Orange that the Prince of Wales would be married to his daughter if he would persuade the States General to provide shipping for the duke's forces. The duke and the prince were ready to do what was desired of them, but the States General would not hear of the scheme, which failed

[1] The history of Glamorgan's mission remains obscure and the authenticity of the powers under which he professed to act has been called in question. See "Charles I. and the Earl of Glamorgan" by Gardiner, *English Historical Review*, 1887, and "Charles I. and Lord Glamorgan" in Mr. J. H. Round's *Studies in Peerage and Family History*.

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accordingly. Throughout these transactions the king and queen made the mistake of supposing that foreign governments would give assistance where nothing was gained in return. They also proved their ignorance of English and Scottish feeling. No help that the pope could give was worth the discredit of intriguing with Rome. No horde of ruffians from unhappy Germany but would have been annihilated by the uprising of all men of all parties to defend their goods, their lives, and the honour of their women.

It remained to fight out the war. Only in the south-west did the king possess even the semblance of an army. Goring had resigned his command in November and retired to France. The officer next in consequence, Sir Richard Grenville, was the infamy of his heroic line. The rank and file were unnerved by indiscipline, and by frequent defeat. The country people were alienated from the king by ill-treatment for which they could get no redress. In January, 1646, the Prince of Wales and his councillors named Hopton commander-in-chief, and resolved to attempt the relief of Exeter. When Hopton reached Torrington with 9,000 men, he heard that Fairfax was approaching. He determined to hold Torrington, closed the eastern ends of the streets with earthworks, and drew most of his horse out of the town in readiness to fall on the flank of the assailants. On the afternoon of February 16 a skirmish of outposts grew into a general action. The royalists, although pushed back step by step, maintained the fight until their reserve stock of powder was blown up by accident, when they were driven out of Torrington with heavy loss. Hopton retreated through Cornwall with forces dwindling every day until on March 14 he surrendered to Fairfax at Tressilian bridge near Truro. Prince Charles had already embarked for the Scilly Isles. Fairfax then turned back upon Exeter, and the governor, Sir John Berkeley, hopeless of relief by sea or land, surrendered the city on April 9.[1] All the remaining fortresses of the west save Pendennis Castle made their submission, and the country people yielded gladly to a power which could protect life and property.

Charles did not yet despair of help from Ireland or the

[1] Sprigge, *Anglia Rediviva*, part iv., ch. i.-v.; Clarendon, *History*, ix., *passim*.

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CHAP. XIV.

continent. Glamorgan had been released from prison on January 21, and immediately returned to Kilkenny, where he swore unreserved obedience to the nuncio. The nuncio, whatever distrust he might feel, relaxed somewhat his rigid bearing. The supreme council came to terms with Ormond, and the political treaty was signed on March 28, the religious articles being laid aside until the king's pleasure was known. The Irish promised to assist him with an army of 10,000 men. It was too late, for every port in Wales and England was held by the parliament, and the Irish soldiers refused to run upon certain destruction. Letters from the queen and her favourite Jermyn having persuaded the king that a French force would soon land in Kent or Sussex, he resolved to muster every available man and break out from Oxford to join these auxiliaries. In obedience to his orders Astley drew 3,000 men from the remaining garrisons in the region of the Severn, and marched for Oxford. But near Stow on the Wold he was met and defeated by a parliamentary force, and his men surrendered in a mass one week after Hopton's capitulation. The king was then driven to consult for personal safety and freedom.

In the previous autumn the Scottish commissioners, through the French envoy Montreuil, had offered to do all in their power towards restoring the king if he would accept the presbyterian settlement. The queen would have closed with the Scots, for, caring little by what road or under what direction heretics travelled to their appointed place, she was ready to redeem the crown by establishing the presbyterian discipline. Charles felt very differently, yet he continued to intrigue with the presbyterians, and even to suggest the possibility of his conversion, while playing upon the fears of the independents and promising the catholics a full toleration if they would arm in his behalf. Montreuil still endeavoured to effect an understanding between Charles and the Scots, but could not overcome the difference of opinion respecting the Church. At length the approach of Fairfax forced the king to a decision. He resolved to flee, although doubtful whether he should go to the Scots, who were then besieging Newark, or to London, or seek a refuge abroad. On the evening of April 26 he told his council that he was going to London and authorised them to surrender the city if they did not hear of him in three weeks,

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CHAP. XIV.

Next morning he rode out of Oxford in the guise of a servant in attendance on Mr. Ashburnham, one of his gentlemen, and Dr. Hudson, one of his chaplains. They took the London road, but when they reached Hillingdon in Middlesex, the king after some hesitation turned northwards and sent Hudson to Montreuil, who was then staying at Southwell, with the request that he would obtain satisfactory written assurances from the Scots. Pending an answer, the king continued his journey to Lynn, where at the worst he might hope to embark for the continent. The Scots would do no more than give a verbal consent to terms put in writing by Montreuil. They promised to secure the king in his person and honour and respect his conscience. They also promised that if the parliament, upon a message from the king, should refuse to restore the king to his rights and prerogatives, they would declare for him and protect his friends. We do not know what message was meant, but it may have been a declaration in favour of presbytery. They may have been wilfully vague because they were eager to secure the king's person, so valuable in their negotiations with the English. In his dire necessity Charles took their offer. Early on May 5 he reached Southwell, and thenceforwards he was really prisoner to the Scots.

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CHAPTER XV.

THE SECOND CIVIL WAR AND THE EXECUTION OF CHARLES I.

CHAP. XV.

IN spite of one or two cruel deeds the civil war had been conducted with a humanity rare in that age and honourable to the national character. Yet a severe struggle which lasted almost four years could not fail to inflict much loss and suffering. Many thousands of men had been withdrawn from profitable labour, heavy taxation had been imposed, and various towns and districts had been pillaged. Both parties and all classes must have felt the disorganisation of trade and industry, but the royalists, as the vanquished side, suffered most, and among the royalists the gentry and the clergy were the heaviest losers. Wherever the parliament prevailed, the landowners who had taken service with the king were treated as delinquents and incurred in some cases forfeiture, in most cases sequestration. Where an estate was merely sequestered, one-fifth of the rents and profits was reserved for the maintenance of the culprit's wife and children, and he was allowed to compound for his offence, but he was required to take the covenant and the negative oath, that is, an oath that he would never again bear arms against the parliament. The episcopalian clergy were evicted from their livings, although here also one-fifth of the income was reserved for their families. The universities, as the places of education for the clergy, were in that age severely controlled by all rulers. An ordinance for the visitation of Cambridge, adopted in January, 1644, and executed by the Earl of Manchester, resulted in the expulsion of a crowd of heads and fellows who would not take the covenant. Oxford could not be treated in like fashion until the war was over. At the time when Charles gave himself up to the Scots, all men fervently desired peace, regular government, and lighter taxes;

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but as they were not agreed on first principles these blessings were beyond their reach. CHAP. XV.

The parliament cannot be blamed for insisting on rigorous limitation of the prerogative before it restored the king. We may with more reason regret its incapacity to take a large view of ecclesiastical questions. As a strong majority in both houses were presbyterians who refused even to tolerate episcopacy and were, moreover, fettered by the Solemn League and Covenant, the parliament required that the presbyterian system should be established in England and Ireland. The independents, who were willing to tolerate the episcopalians and even the Roman catholics, were so much inferior in numbers, rank, and influence, and so much in advance of ordinary public opinion that they could prevail only by using the army to coerce the parliament, thus making a new revolution and setting against themselves all who disliked the rule of the sword as well as the Scots who cared for nothing but their ecclesiastical polity. The king sought to regain freedom and authority and restore the old ecclesiastical order by making advances to each party in turn in the hope of eluding fulfilment to any. But a captive who would play the game of intrigue with advantage, needs a pliancy of mind, a grasp of facts, a penetration into other men's thoughts, and a freedom from scruples of his own, which Charles did not possess. With every wish to mislead others he could not hide his conviction that episcopacy and monarchy were ordained of God, or his intention to restore them in their plenitude if he were allowed. At length his tortuous policy left one party among his opponents masters of king and kingdom and convinced, not only that they could never bind him by any pact, but that they might righteously put him to death. By so doing they enabled Charles to close his unhappy reign with honour; for it is easier to die well than to govern wisely, and in his strange character a real faith and seriousness underlying much that was weak and even ignoble, raised him at the supreme moment into a purer atmosphere and illumined his scaffold with something of the brightness of martyrdom.

The king had put himself in the hands of the Scots with no assurance from the ruling authority at Edinburgh, and they showed very little regard to the terms which the commissioners had offered by word of mouth. At the request of the Scots he

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CHAP. XV.

gave orders for the surrender of Newark. But when he refused to sign the covenant and establish the presbyterian government in England and Ireland, they set a guard upon him and began their retreat towards Newcastle in order to place their captive in greater security; for the parliament was jealous of the Scots, whose former intrigues with the king had come to light, and voted that their army should be paid off as no longer useful. To please the parliament Charles gave orders for the surrender of Oxford, which opened its gates on June 20. His second son, James, Duke of York, thus fell into the power of the houses. To please the Scots Charles ordered Montrose to disband his forces and quit the kingdom. As the king would not renounce episcopacy, the Scots adopted the draft terms of peace which the parliament laid before him in the beginning of August. The principal demands were that he should take the covenant and accept the presbyterian system; that the militia and the fleet should be controlled by parliament for twenty years and only return to the crown under conditions fixed by parliament; that a number of the king's followers should be excluded from pardon; that the Irish cessation should be annulled and the war in Ireland prosecuted in such a manner as the houses should determine. These terms became celebrated as the propositions of Newcastle.[1]

Charles could not stomach such hard conditions. The queen wished him to retain the power of the sword, but to yield on Church government, since the presbyterians, once supreme, would find their mortal foes in the independents. He tried to gain time and asked that he might come to London for further conference. The only result was an understanding between the Scots and the English. The Scots offered to retire on payment of their expenses, and to consult with the parliament how they should dispose of the king. By September 1 it was agreed that the Scots should receive £400,000, half to be paid before they left the kingdom, the rest at a later time. The independents, who feared to be left at the mercy of their rivals, approached the king, offering him a qualified episcopacy when the Scots were gone, and mild treatment for his followers, but they found no response. By the end of September Charles

[1] Rushworth, vi., 209.

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finished a counter-proposition of his own. The presbyterian system was to remain in force for three years. Meantime a committee of both houses was to confer with sixty divines, one-third presbyterians, one-third independents, and one-third chosen by himself. After this discussion the king and the parliament were to determine the ecclesiastical system for the future. Charles offered to surrender the militia for ten years, or even for life, on the understanding that it should afterwards revert to the crown.[1] He found that the Scottish commissioners in London would not assent to his proposals whether as regarded the Church or as regarded the militia.

Argyle and his friends were determined that Charles should not come to Edinburgh, where he would unite and inspirit all malcontent parties. They persuaded the Scottish parliament to decide that, until the king accepted the propositions of Newcastle, it would do nothing for him nor receive him in Scotland. Since it was not thought safe to allow him a free departure, it followed that he must be given over to the English. Thus a dangerous difference between the nations was quietly removed. For the English parliament asserted a right to dispose of the king's person, which the Scots had hitherto challenged on the ground that he was King of Scotland as well as of England. The royalists twitted the Scots with selling their king; but however their act may be judged, their motive was not so much gain as policy. On January 30, 1647, the first £100,000 was paid to the Scots, and they surrendered Newcastle. On February 3 a second £100,000 was paid, and the Scots gave up what other fortresses they held and recrossed the border, at the same time delivering Charles to commissioners appointed by the English parliament, who took him to Holmby House in Northamptonshire. Although he was a prisoner, his journey resembled a royal progress. The gentry came to escort him, the common people thronged to see him pass, the church bells were rung, and cannon fired salutes. A sentiment which had been growing for a thousand years could not be killed by one man's faults or misfortunes. To the multitude the king's return symbolised the return of peace and freedom from exaction. The result was unfortunate for Charles, since it strengthened his belief that men could not do without him and that he could

[1] Clarendon MS. 2333, quoted by Gardiner, *History of the Civil War*, ch. xlv.

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CHAP. XV.

do as he liked with them. The parliament did not, it is true, show much skill in soothing its captive. The commons ordered that the communion plate of the chapel royal should be melted down to make the king a dinner service, and the lords refused his desire for the ministrations of his own chaplains.

In Ireland the king was as unfortunate as elsewhere. Under pressure from the Scots he had commanded Ormond to treat no further with the rebels, but the injunction was only a ruse, as he knew that a treaty had already been made. On June 5, 1646, Owen Roe O'Neill defeated and almost destroyed the Scottish army under Monro in the battle of Benburb. Then the parliamentary commissioners in the north of Ireland called on Ormond for succour while the supreme council asked him to publish the peace. Against the wishes of his own council Ormond complied, and proclaimed the peace in Dublin on July 30. But with the victory of Benburb power had passed from the supreme council to the clergy headed by the nuncio, and they condemned the treaty as affording no satisfaction to catholic claims. Ormond resolved to save the places which he still held and which must otherwise fall into the hands of the nuncio by surrendering them to the English parliament. Informed of this resolution, Rinuccini made the clergy choose a new supreme council, with himself as president, and summoned O'Neill to his aid. A few days afterwards the English parliament accepted Ormond's surrender of Dublin and his other fortresses. When its commissioners arrived, Ormond refused to yield Dublin, on the ground that the parliament had refused to forward his letter asking for the king's sanction. Charles, who had no thought of giving such an order, enjoined Ormond to renew his negotiation with the Irish. But Ormond, who had less than 1,500 men, could not hope to maintain an independent position. On February 6, 1647, he renewed his offer to the English parliament without requiring the king's authority.[1]

Thus, at the very time when the parliament obtained possession of the king, it obtained the exclusive conduct of the Irish war. Jealous of the army and desirous to relieve the nation, the parliament resolved to keep in England 6,600 horse and dragoons, but no infantry save in garrisons; to send 4,200 horse and dragoons with 8,400 infantry to Ireland, and to dis-

[1] *Lords' Journals*, ix., 29.

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band the 6,000 infantry remaining. Except the Lord-General Fairfax, there was to be no officer above the rank of colonel; no member of the house of commons was to hold any command in England; and every officer was to take the covenant; resolutions prompted perhaps by fear of Cromwell. But the army was unwilling to be diminished and dispersed until its public and private requirements had been satisfied. The devout among the soldiers wanted an assurance that they would be allowed to enjoy that liberty of conscience for which they had fought, and the devout and the profane alike wanted to receive in full their pay, which was many weeks or even months in arrear, as well as an indemnity for illegal acts done in the course of the war. Their discontent broke forth when a deputation from the house of commons came down to Saffron Walden in Essex, where Fairfax had his headquarters, to invite volunteers for service in Ireland. At a conference which they held with Fairfax and his officers on March 21, none of the officers would volunteer until they had some assurance of satisfaction. At a second conference the officers agreed to draw up a petition. The soldiers resolved to follow their example. The houses condemned the petition, denounced its promoters as enemies of the state, and chose Skippon and Massey, inflexible presbyterians, to be respectively general and lieutenant-general of the Irish army. A second deputation to Saffron Walden for volunteers proved unsuccessful. In spite of the threatening aspect of affairs, the parliament would only vote that six weeks' pay, a mere fraction of the arrears due, should be given to the soldiers on disbandment.

CHAP. XV.

There ensued a formidable innovation. Led by the cavalry, who were men of better standing and education than the infantry, the soldiers organised themselves for political purposes. Eight out of the ten cavalry regiments chose each two representatives, at first styled commissioners, but afterwards known as agitators, that is to say, agents. The agitators addressed to each of the three generals, Fairfax, Cromwell, and Skippon, a letter complaining that the proposal of sending troops to Ireland was a mere device to ruin the army and break it in pieces. This letter became known to the houses and caused much alarm.[1] A third deputation, composed of officers who were

[1] *Lords Journals*, ix., 164.

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CHAP. XV.

also members of the commons, Cromwell, Ireton, Fleetwood, and Skippon, was sent to quiet the soldiers by promising an indemnity for acts done in the course of the war, speedy payment of a large part of the arrears, and signed debentures for the balance. When this deputation reached Saffron Walden it found that the infantry had followed the example of the cavalry and that every regiment had chosen agitators. The officers supported the agitators with a declaration, recounting all the grievances of the men and adopting their demands. The deputation quieted the troops for the moment by announcing the favourable resolutions of parliament, and sent back Cromwell to report on the state of the army. Cromwell declared in the house that the army would disband, although it would not go to Ireland, and the commons ratified the concessions made in their name.

The danger of a breach between the army and the parliament seemed over, but the ill-will between presbyterians and independents was not abated, and either party sought every weapon against the other. As the Londoners were zealous presbyterians, the parliament adopted an ordinance giving the city control of its own militia. The presbyterian leaders found allies in the new commissioners sent by the Scottish committee of estates with whom they projected another Scottish invasion of England. Proposals for a settlement closely resembling those which the king had offered at Newcastle were made to the king and accepted by him. On May 20 the lords invited him to reside at Oatlands near London. A few days afterwards the houses resolved that each regiment should be drawn to a separate rendezvous and disbanded forthwith.[1] Then the officers, the agitators, and the men who had chosen them gave clear intimations that the army would not disband until it had been satisfied. Fairfax was induced to order a general rendezvous of all the troops at Newmarket, and a meeting of officers at Cromwell's house in London resolved that Cornet Joyce with a party of horse should go to Holmby and prevent any attempt to remove Charles. Arriving on June 3, Joyce came to the conclusion that he would best fulfil his trust by carrying the king away to the army. At night he entered the king's chamber and required him to leave Holmby. Charles at length

[1] *Commons' Journals*, v., 183; *Lords' Journals*, ix., 207.

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CHAP. XV.

assented on the promise of honourable usage. But in the morning when about to depart, he asked Joyce for his commission, an embarrassing demand, since Joyce had no express order for what he was doing. "Here," said Joyce, pointing to the troopers, "here is my commission." "It is as fair a commission," replied the king, "and as well written as I have seen a commission written in my life"; and without more ado he accompanied Joyce towards Newmarket. At the same time he sent a message to parliament that he had been taken away from Holmby by force and expected it to assert its own honour and the laws of the land. Yet when Fairfax, who had not been privy to his removal, ordered Colonel Whalley to escort him back, Charles refused to return.[1]

The dispute between the army and the parliament was thus enlarged into a political conflict between independents and presbyterians. In this conflict Cromwell rapidly became the leader of the independents. Hitherto, although an industrious member of parliament, he had been distinguished chiefly as a soldier; the second in command and perhaps the first in merit. But the commander-in-chief, by his virtues and failings alike, was unfitted to guide a revolution. Fairfax was a brave and skilful general, but outside his profession he was mediocre. With upright intentions, love of freedom, and respect for law, he had neither clear insight nor strong will. In religion he was almost neutral as between presbyterian and independent; but this circumstance, which might have been helpful to a statesman, only added to his weakness and irresolution. He felt for the wrongs of the soldiers whom he had so often led to victory, and therefore would not forsake them, and remained their nominal chief; but he was ill at ease in opposing the parliament and did little more than execute what men of keener minds had determined. Cromwell rarely saw far into the future and often was slow to resolve, but his judgment of things near was usually wise and his resolution always formidable. Religion gave him a fixed aim in politics. As an independent he was resolved that, come what might, the spiritual freedom which he and his brethren had won with their blood should not be reft from them. Whatever political change might be necessary for this purpose, he was ready to

[1] *True and Impartial Narration concerning the Army's Preservation of the King*, Rushworth, vi., 513.

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CHAP. XV.

make, and whatever force such change might involve he was ready to exert. In other things he was careless of general maxims and ready to accept compromise.

Too late the parliament saw with dismay what a dangerous and uncontrollable power it had called into action. It tried to appease the soldiers by promising that their arrears should be paid in full and the ordinance of indemnity pressed forward. It sent down commissioners with offers to the troops then mustered at Triploe Heath, near Cambridge. When they were coldly received, it prepared for defence, and tried to weaken the army by encouraging desertion. But it could not extemporise a force capable of encountering 20,000 veterans. The parliament resolved on sending another commission to negotiate, while the city requested in friendly terms that the army would not approach nearer than thirty miles. The headquarters had by that time been moved to St. Alban's, and the agitators had been joined with a select number of officers to form the council of the army. On June 15 the council replied to the parliamentary commissioners with the Declaration of the Army. It asked that the house of commons should be purged of offending members and the date of dissolution fixed; that parliaments in future should not last beyond a certain time; that the right of petition should be recognised; offences punished according to law, not at the discretion of the houses; the accounts of national expenditure published; and with some few exceptions an amnesty passed for all offenders.[1] These requests were in the main fair and reasonable. Then and afterwards the soldiers protested with truth that they were no mere mercenaries, but honest Englishmen, who wanted assurance of those liberties which they had so dearly bought. They regarded themselves as maintaining the common interest against a usurping assembly which could not lawfully be dissolved and which refused to dissolve itself.

The army followed up its declaration with a charge against eleven members of the house of commons, leaders of the presbyterian party. Among them were men who had rendered notable service—Maynard, one of the managers in the impeachment of Strafford; Holles, one of the five members so rashly impeached by the king; Massey, the defender of Gloucester;

[1] Rushworth, vi., 564.

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CHAP. XV.

and Waller, long the best general of the parliament. They were accused of conspiring against the liberty of the subject, of setting the parliament against the army, and of trying to kindle a new civil war.[1] The houses retorted by ordering Fairfax to send the king to Richmond and retire forty miles from London. Fairfax would not retire nor give up possession of the king. The council of the army put forth a sharp remonstrance demanding the suspension of the eleven members, the disbandment of forces lately raised, and a delay in the king's removal to Richmond. The houses felt unable to resist, the eleven members withdrew from attendance, other concessions followed, and the army fell back as far as Reading.

The army treated Charles with a consideration which the parliament had not shown. He was allowed to enjoy the society of his most faithful friend, the Duke of Richmond, and the ministrations of his own chaplains. Hoping that he would come to an understanding with them, the officers had recourse to Sir John Berkeley, sometime governor of Exeter, who felt satisfied that they were in earnest. The king, who could not believe that any of his adversaries was an honest man, told Berkeley that he did not trust the officers, because none of them had asked him for any favour. The quarrel between the army and the parliament filled him with hopes which he could not conceal. "Sir," said Commissary-General Ireton, Cromwell's son-in-law and confidant, "you have an intention to be the arbitrator between the parliament and us; and we mean to be it between your majesty and the parliament."

With this design Ireton drafted a scheme for the settlement of the kingdom which, after revision by the army council, became known as the Heads of the Proposals, and offered a remarkable contrast to the propositions of Newcastle. The parliament was to end within a year, and the duration of subsequent parliaments was not to exceed two years. A parliament was to sit at least 120 days, unless adjourned or dissolved sooner by its own consent. Seats were to be distributed according to some rule of equality or proportion. A council of state was to take the place of the ancient privy council. Its members were to be appointed for a term of seven years; the first by agreement, their successors probably by the king, as no

[1] Rushworth, vi., 570.

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CHAP. XV.

mode of choice was specified. The houses were to have the militia and the navy and the appointment of the great officers of state for ten years. The clauses concerning religion breathed the spirit of a large tolerance. No man was to be forced to take the covenant or punished for not using the Prayer Book, or subjected to civil penalties by any ecclesiastical authority whatsoever. Lenity was shown to the king's followers, of whom only five were excluded from compounding. The cessation in Ireland was to be declared void and the prosecution of the Irish war left to the houses.[1]

These terms were the most favourable ever offered to Charles. If they retrenched his prerogative, they allowed him to enjoy his own religion, and they dealt mercifully with his friends. He preferred, however, to play his dangerous game, for the presbyterians in the parliament and the city gave signs of revolt. The charge against the eleven members had been designed, not so much for their punishment, as to frighten them out of public life and therefore was not pressed home. The eleven took courage and demanded a trial. The army then presented the articles of impeachment. The eleven asked leave to go beyond the seas, many other presbyterian members ceased their attendance, and what was left of the house of commons voted to disband all deserters from the army and give Fairfax the command of all the forces in England and Wales. The submission of the presbyterians was, however, momentary. One of the new Scottish commissioners, the Earl of Lauderdale, cheered the eleven with the hope of a Scottish army, and the mob of the city forced the commons to pass a resolution inviting the king to London. Then Fairfax marched on London and the common council prepared for resistance. The speakers of the houses, Manchester and Lenthall, with eight peers and fifty-seven commoners, quitted London to place themselves under the protection of the army, leaving the presbyterians to choose new speakers, recall the eleven members, and prohibit the approach of Fairfax. Fairfax continued his advance, occupied Tilbury Fort, sent a detachment round by the south to Gravesend, and threatened to intercept the commerce of London. The common council made its submission, and on August 6

[1] Rushworth, vii., 731.

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CHAP. XV.

the army escorted Manchester and Lenthall and their friends back to Westminster. It then marched through the city, and a couple of regiments remained at Westminster and in the Tower. The king was brought to Hampton Court and Fairfax made Putney his headquarters.

The presbyterians were subdued, but their revolt had confirmed the king in his illusions. When the Heads of the Proposals were tendered to him, he required better terms for his friends and the Church, repeating, "You cannot be without me"; "You will fall to ruin if I do not sustain you".[1] Since it was expedient to pacify the Scots, the commons once more tendered the propositions of Newcastle. Charles trifled with the propositions, but at length intimated his preference for the Heads of the Proposals and asked for a personal treaty. Cromwell and Ireton, Vane and St. John were in favour of granting his request, but they could not prevail with the house, and some members agreed with Marten that they should make no more addresses to the king. His evident wish to gain time and the growing fear of a Scottish invasion had brought many to demand a settlement in which he should have no place. This new party, revolutionary and democratic in the highest degree, soon became known as the levellers. Weak in the nation at large, it was strong in the army, especially in certain regiments which deposed their old agitators as not going far enough and elected new ones. They drew up the first manifesto of the levellers, The Case of the Army Truly Stated, which they tendered to Fairfax on October 18. Parliament was to be purged at once and dissolved in a year. A law paramount, a statute beyond the competence of parliament to alter, was to vest power in parliaments chosen by manhood suffrage and limited to a period of two years. Nothing was said about a king or house of lords. All power, the Case of the Army asserted, is in the whole body of the people, and their free consent is the only foundation of all just government. These principles were developed in a second manifesto, The Agreement of the People. The army, which had to contend with the greater part of the nation, was thus threatened with a new and most perilous division within itself. Cromwell and Ireton saw the danger and strove to restore harmony. There followed several conferences between the officers

[1] *Memoirs of Sir John Berkeley*, p. 35.

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CHAP. XV.

and the spokesmen of the levellers, in which no definite conclusion was reached. At length on Cromwell's motion a committee was appointed to frame yet another draft constitution out of the Heads of the Proposals and the Agreement of the People.[1]

The Scottish commissioners promised Charles that, if he would give satisfaction in matters of religion, the Scots would restore him to the throne, and urged him to make his escape. He declined immediate flight on the ground that he had given his parole, but he would not renew his parole when asked to do so. This circumstance quickened suspicion and alarm. The commons passed a vote that the king was bound to accept all laws tendered to him by the houses. In the army council men were heard to denounce any further tampering with the enemies of God, and to declare the king accountable for all the bloodshed of the recent war. The king was advised that some of the more fanatical levellers were planning his murder. He then resolved to fly in the hope that, when once he was at large, the army and the Scots would compete for his favour, and that he could escape to France if things came to the worst. On the advice of Ashburnham, who had lately returned with messages from the queen, he selected the Isle of Wight as his place of retreat, because the governor, Colonel Hammond, who had family ties with both parties, was believed to dislike the late proceedings of the soldiers. Late on November 11 Charles slipped out before the guards were set for the night, and left Hampton Court. Attended by Ashburnham, Berkeley, and Colonel Legge, he made for Lord Southampton's house at Titchfield, not far from the sea. On arriving there he sent Berkeley and Ashburnham forward to try Hammond. They found him, and asked that he would either give the king shelter or let him depart in safety. Hammond, who shrank from the thought of conflicting duties, begged that the king might not come, but could only promise to act towards him as a person of honour and honesty. Ashburnham, against Berkeley's wish, then brought Hammond to the king, who was deeply vexed, for, in default of satisfactory assurances, he had resolved to go abroad, and had actually engaged a vessel. As Hammond had come and the vessel did not appear, Charles unwillingly followed him to Carisbrooke Castle, Hammond's official residence, and again became a virtual prisoner.[2]

[1] *Clarke Papers*, i., 226-410.

[2] Berkeley, *Memoirs*, pp. 50-65; Ashburnham, *Narrative of Attendance on King Charles the First*, ii., 112-13.

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CHAP. XV.

In their rage at the king's flight the levellers seized the occasion of a rendezvous of several regiments at Corkbushfield, near Ware, for a dangerous mutiny, which was only quelled by vigorous measures. Before quitting Hampton Court, Charles had addressed a letter to the parliament, explaining that he fled merely to save his life, and still desired to restore peace and do justice to all parties. He renewed the offers which he had made at Newcastle, and desired to treat personally in London. The Scots favoured his request, but the houses and the army showed themselves cold and suspicious. The lords adopted as a basis of negotiation four of the propositions formerly tendered at Newcastle. Parliament was to have the militia for twenty years and to determine the conditions on which the crown should have it afterwards; the king was to revoke all declarations against the parliament, and to annul the honours which he had granted since the beginning of the war; and the parliament was to have the power of adjourning itself to any place which it thought desirable. The commons accepted these propositions from the lords, and converted them into bills which the king would have to accept or reject as they stood.[1] When the king applied to the officers for their help in obtaining a personal treaty, Fairfax refused, and Cromwell warned Berkeley that he must not be expected to perish for the king's sake. There is reason to believe that he had learnt from intercepted letters the king's preference for the Scots and his intention not to observe any promises made under compulsion.

The Scottish commissioners entered a protest against the action of the parliament and the army, and required that the king should be admitted to a personal treaty. They demanded the establishment of presbyterianism and the restoration of the political powers of the crown. The houses took no heed, but tendered the four bills to Charles, allowing him four days for his answer. The Scottish commissioners visited the king at Carisbrooke in order to reach a separate understanding, and he preferred to treat with those who would leave him all the authority by which he could afterwards order Church and State as he thought proper. On December 26 he signed the treaty known as the Engagement. He undertook to confirm the covenant by statute, to protect those who had taken it

[1] *Old Parliamentary History*, vi., 405.

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CHAP. XV.

and to allow a presbyterian establishment for three years on condition that the Church should be finally regulated by himself and the houses. All heresies were to be strictly repressed. In return the Scots undertook to support his demand for a personal treaty and the disbandment of all armies. If this were refused, the Scots were to publish a declaration in favour of the king's authority and to invade England. When peace was restored, there was to be an act of oblivion and a complete union of the two kingdoms, or at least complete freedom of trade.[1] Charles then rejected the four bills.

Imminent danger united all, whether independents or presbyterians, who were unwilling to lose the fruits of the civil war and dreaded the Scottish yoke. The military factions waived all disputes. The bond between the chiefs of the army and the chiefs of the commons was drawn closer. Charles, who had planned to escape from Carisbrooke, was placed in stricter confinement. It was even proposed in the commons that he should be impeached and the kingdom settled without him. The houses resolved that they would make no more addresses to Charles nor receive any more of his messages.[2] They dissolved the committee of both kingdoms and vested its powers in the English members. The lords, although not forward in these resolutions, yielded to the fear of military constraint. The commons, in February, 1648, agreed upon a declaration to be published in defence of the vote of no addresses. At the same time the military preparations were pushed forward.

The Scottish commissioners, who left England in January, found their countrymen deeply divided. Scotsmen saw that the Solemn League and Covenant had not been fulfilled in their sense. The reformation of the English Church on the model of the Kirk was still imperfect and did not seem likely to be finished. Heresy continued to flourish in England, was supreme in the army and powerful in the parliament. The king, whose secular prerogative they had sworn to maintain, was a prisoner and would only be restored to the throne under the most rigorous limitations. These reasons prompted to war; but other reasons, equally cogent, recommended peace. The malcontents who longed to break the domination of the Kirk

[1] Printed from Clarendon MSS. 2685, 2686, by Gardiner, *Select Documents of the Puritan Revolution*, p. 347 (2nd ed.).

[2] *Old Parliamentary History*, xvi., 489.

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CHAP. XV.

and Argyle would receive fresh life from a union with the English royalists and anti-puritans. The ministers, much as they hated and feared the independents, condemned taking up arms for a king who refused the covenant. When a new parliament met, on March 2, Hamilton became the leader of the warlike faction. His conduct in not opposing the Solemn League and Covenant had excited so much suspicion that he was arrested on visiting Oxford in December, 1643, and remained a prisoner until the end of the civil war. At Newcastle he had urged the king to grant the Scottish demands. But he was royalist as far as prudence would allow; he had no zeal for the Kirk and he felt jealous of Argyle whose power could only be overthrown by a political revolution. The commons were equally divided, but the greater part of the nobles supported Hamilton, who thus prevailed, although with difficulty, over Argyle. It was resolved to prepare for war. A number of English cavaliers came to Edinburgh. The Scottish commissioners, before returning home, had arranged insurrections in the eastern counties and in other parts of England. Plots were laid for the king's escape from Carisbrooke, and a royalist agent, Colonel Bamfield, succeeded in carrying the Duke of York out of England.

The first overt acts of rebellion against the parliament came from officers and soldiers in its service, although not included in the new model. On February 22 Colonel Poyer, governor of Pembroke Castle, refused to make room for his successor, Adjutant-General Fleming, on the pretext that his arrears had not been paid. A body of troops under Colonel Laugharne, which had done good service in South Wales, but was to be disbanded, joined Poyer. Fleming was defeated and killed, and all South Wales rose in revolt. The parliament sent down Colonel Horton, who defeated the Welsh rebels at St. Fagan's, near Llandaff, on May 8. When Cromwell came to his help with two regiments of horse and three of foot they regained the open country and shut the royalists up in the castles of Pembroke, Tenby, and Chepstow. Chepstow and Tenby were soon taken, but Pembroke, where Poyer himself commanded, held out until July 11, and detained Cromwell in Wales during the time of greatest peril.

To head the English insurrection, the queen and the Prince

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CHAP. XV.

of Wales had chosen the Earl of Holland. In Kent the leaders, who wished to wait until the Scots should have entered England and the whole army should have been drawn northwards, were forestalled by a popular rising on May 21. The insurgents occupied Dartford and Deptford, and threatened London. Holland gave them for a general the old Earl of Norwich, who, like himself, was more a courtier than a soldier. The crews of several warships in the Downs, incensed by default in the payment of wages, and by the removal of Vice-Admiral Batten, declared for the king and seized the castles of Deal, Sandown, and Walmer. Fairfax marched with 8,000 men into Kent, and on June 1 defeated the insurgents at Maidstone, whereupon most of them dispersed to their homes. With 3,000 men Norwich retreated to Rochester, crossed the Medway and marched towards London, hoping to raise the citizens. As they did not stir and it was rumoured that Essex had risen, the earl and some hundreds of his followers made their way thither. Sir Charles Lucas, a veteran of the civil war who held a commission from the prince, took the lead of the Essex men and joined Norwich. They resolved to pass into Suffolk and Norfolk, where they had many friends, but in the hope of finding recruits they turned aside to Colchester. Fairfax, who had crossed the Thames at Tilbury, marched swiftly upon the town, enclosed it with lines of circumvallation, and sat down to wait until its scanty store of provisions should have been consumed.

Holland himself was forced into untimely action by the discovery that all his measures were reported to the government. Early in July he left London for Kingston, where he assembled a few hundred horse and foot. He tried to seize Reigate Castle, failed, and fled northwards, but was surprised and taken at St. Neot's in Huntingdonshire. Although the royalist insurrection had thus idly flickered out, the danger of the parliament was not over. The army of Fairfax was detained before Colchester. Nine revolted ships passed over to the Dutch coast, and the Prince of Wales left Calais for the Hague to inspirit the men. As the temper of the crews which still adhered to the parliament was uncertain, it might lose the command of the sea and be invaded from the continent while the Scots assailed it from the north.

On April 11 the Scottish parliament resolved that the treaty

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CHAP. XV.

between the two kingdoms had been broken and that the English should be required to establish presbyterianism and repress heresy. At the end of the month Sir Marmaduke Langdale surprised Berwick and other English royalists surprised Carlisle. An ultimatum from the Scottish parliament reached Westminster on May 30, and the English parliament replied with an offer to join the Scots in tendering once more the propositions offered to the king at Hampton Court. The offer was disregarded and Hamilton was named commander-in-chief with the Earl of Callander as lieutenant-general. The ill-will of the clergy hindered recruiting, and effective concert with the English cavaliers was impossible, as they would not take the covenant. At the muster on July 4, the day fixed for the invasion of England, Hamilton found, instead of the 30,000 men on whom he had calculated, 10,500; but he crossed the border on the 8th, expecting to be joined by reinforcements from home, by Langdale with 3,000 Englishmen, and by Sir George Monro with 3,000 Scots from Ulster. Colonel Lambert, commanding for the parliament in the north, fell back towards Knaresborough. Hamilton was so much delayed by waiting for reinforcements, by bad weather, and by want of draught animals that he did not reach Hornby in Lancashire until August 9. Four days later, Cromwell, who had been marching at his best speed from South Wales, effected his junction with Lambert near Wetherby. Although the united force did not amount to 9,000 men, Cromwell instantly set forth westwards. With 24,000 men Hamilton was moving slowly southwards, in hopes to raise Lancashire and North Wales for the king. He led the Scottish infantry in person; Langdale marched on his left; Callander with the horse pushed far ahead to forage; while Sir George Musgrave with another body of English troops and Monro with the Ulster Scots followed at a considerable distance. Thus the invaders straggled along a line of many miles from north to south, offering every advantage to a flank attack.

On the morning of August 17 Cromwell, marching down the north bank of the Ribble, burst with all his force upon Langdale and his men, who had taken their position in some enclosed fields hard by Preston. Hamilton supported them, but only with a detachment, sending forward the rest of his foot to meet the horse who had been summoned to return so that the united

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CHAP. XV.

mass might crush the enemy. After a gallant resistance Langdale's men were driven back into the town and nearly all captured. The northern bank of the Ribble at Preston commands the southern. With little loss the parliamentarians swept the bridge, drove the Scots across the Darwen and made good that bridge also. The royalists lost 1,000 dead and 4,000 prisoners, and, more disastrous still, their army was cut in twain, the major part with no hope of return to Scotland. The Scottish cavalry had not come back in time to support the foot, and although the Scots still outnumbered the victors, the soldiers were out of heart and the chiefs divided. At last it was resolved to march southwards under cover of the night. As there were no draught animals, the soldiers could take only the powder in their flasks. The rest of the ammunition was to have been blown up, but all fell into Cromwell's hands.

When Cromwell found that Hamilton had slipped away, he left Colonel Ashton with 4,000 men to guard Preston against Monro, and started in pursuit. The Scottish cavalry so far held him back that their infantry managed to reach Wigan. Driven farther and farther from their base, wet, weary, and hungry, the Scots made another night march to gain the bridge over the Mersey at Warrington; but Cromwell followed so hard that they were forced to fight at Winwick, and were again defeated with the loss of 2,000 prisoners and 1,000 dead. As they fled towards Warrington many threw away their arms, which were indeed useless for want of powder. So miserable was the plight of the infantry that by Hamilton's order it surrendered at discretion, and 4,000 more Scots became prisoners in Warrington.[1] Cromwell thought that he might safely turn back to disperse Monro's force, and leave Lambert to pursue Hamilton. After a last attempt to reach the friendly Welsh borders Hamilton turned eastwards, hoping to regain Scotland by a detour. So long a march through a hostile country was beyond the strength of men and horses worn out by toil, hunger, and foul weather. At Uttoxeter, in Staffordshire, the cavalry would go no farther, and on the 25th Hamilton surrendered to Lambert. In less than a fortnight Cromwell had well-nigh destroyed the invading army and had confounded the hopes of the royalists in both kingdoms.

[1] Carlyle, *Cromwell's Letters and Speeches*, Letter lxiv.

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CHAP. XV.

The Scots who had been pressed for the service were allowed to return home on promising never to take part in another invasion. Those who had freely enlisted were shipped off to forced labour in Barbados or to the service of the Venetian republic. The garrison of Colchester, after enduring the extremity of hunger, surrendered on August 27. The common soldiers were to have quarter, but the lords, gentlemen, and superior officers were to be at the discretion of Fairfax. A council of war then selected Lucas, and two other officers, Sir George Lisle and Sir Bernard Gascoigne, for immediate execution. Lucas and Lisle died with unshrinking courage. Gascoigne was respited at the last moment. The other nobles and officers were committed to prison until parliament should pronounce their doom. The common men shared the fate of the Scottish prisoners, and a contribution was levied upon the town. This treatment of the conquered, and especially the execution of Lucas and Lisle, was bitterly denounced by the royalists. The parliamentarians replied that, as a garrison persevering in a hopeless defence was, by the received laws of war, liable to be put to the sword, the execution of two of the leaders was comparative lenity. It is the nature of civil war to grow more cruel the longer it lasts.[1]

At the time when Hamilton was preparing for war he invited the Prince of Wales to Scotland, but the prince would not come unless he were allowed to use the Prayer Book. When war had begun Lauderdale was sent with a public invitation to the prince. Before he came the prince went aboard the fleet and sailed for the English coast. If the royalists had waged the war by land on any reasonable scheme, the fleet would have been most useful in connecting and supporting their operations and harassing those of the enemy; but in the actual course of events it proved almost useless. Lauderdale arrived, and on the eve of the battle of Preston Charles accepted the Scottish invitation, a barren sacrifice. Want of water and provisions enforced a return to Dutch waters at the beginning of September, and the fall of Sandown Castle ended the war in the south.

A revolution in Scotland completed the puritan victory. On Cromwell's approach Monro beat a retreat and the terrified committee of estates gave orders that no Englishman who had

[1] See *Memoirs of the Duchess of Newcastle*, edited by Professor Firth, Appendix, for a discussion of this question.

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CHAP. XV.

fought in their army should be admitted into Scotland. The ministers everywhere denounced the committee, Argyle summoned his clansmen to arms, and the west-country covenanters rose under Lord Eglinton and seized Edinburgh. The committee surrendered its powers and agreed that all who had taken the same side should resign their offices, thus leaving Argyle and his friends supreme. Cromwell crossed the Tweed, and came to a full understanding with Argyle. Berwick and Carlisle were restored to the English, and Lambert with a strong body of horse and dragoons occupied Edinburgh, where the covenanting chiefs presumed to act as a committee of estates. In a visit to Edinburgh, Cromwell obtained an assurance that the upholders of the engagement would be excluded from office. Although there could be no true cordiality between the Scottish Kirk and the English independents, they had common foes and could render mutual services. When Cromwell returned to England, he left Lambert and two regiments to protect Argyle and his colleagues against any desperate followers of Hamilton or Montrose.[1]

At the moment when the king's hopes in Scotland were extinguished, he found new hopes in Ireland. After Ormond's surrender to the English parliament in February, 1647, there followed a critical season which the Irish wasted for lack of unity. In June Colonel Michael Jones arrived with a force of parliamentary troops, and in July Ormond laid down his office. Preston threatened Dublin, but on August 8 Jones defeated him with great slaughter at Dungan Hill. Monk, who had joined the parliament and was sent to command in Ulster, also took the offensive with vigour and success, while Lord Inchiquin, the president of Munster, pressed the confederates hard in the south. These disasters shook Rinuccini's influence, and the members of the supreme council whom he had deposed regained power, and sent commissioners to the queen with an invitation for the Prince of Wales. In March, 1648, Inchiquin declared for the king and the Scots. With the expectation of establishing in Ireland a royalist party able to control the nuncio, the queen received the commissioners favourably and named Ormond lord lieutenant. But the nuncio was enraged, not subdued; and O'Neill adhered to him, as the Anglo-

[1] Carlyle, *Cromwell's Letters and Speeches*, Letters lxx.-lxxix.

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Irish nobles did to the supreme council. Thus the opportunity afforded in the summer of 1648 was lost. Ormond did not proceed to Ireland until October. It was intended that the prince should winter in Jersey and that Rupert, who had lately taken command of the fleet, should keep open a communication with Ireland. When asked to disavow Ormond Charles replied that he had committed the sole management of the Irish war to the houses and therefore should be pressed no further. CHAP XV.

While the parliament was contending against the royalist reaction, the old schism, for one moment healed, reopened between its supporters. Although the presbyterians were so far hostile to the Scots that they could not bear to resign all the political liberties gained in the civil war, they were almost as hostile to the army, where republican and levelling principles were proclaimed more and more loudly. They wanted a king upon their own conditions, above all a king bound to uphold presbytery and extirpate heresy and schism, and they still fancied that they might find such a king in Charles. When the approach of war had withdrawn the troops from London and Westminster, the presbyterians again raised their heads in the city and the parliament. In May they passed an ordinance making heresy and blasphemy capital crimes. On August 24 the houses repealed the vote of no addresses,[1] and on September 18 a fresh negotiation was begun at Newport in the Isle of Wight. It was to last forty days, and the king, after giving his parole, was allowed to reside in the town. Fifteen commissioners, including independents like Vane and Lord Saye, tendered him once more the propositions of Hampton Court. Charles defended his position step by step with spirit and ability, but with a strange blindness to his extreme danger. With equal blindness the presbyterians required him to establish their form of Church government, to take the covenant himself and cause everybody to do likewise. The independent members of the commission would willingly have gone back to the principle of toleration adopted in the Heads of the Proposals. The king repeated his old offers, and even enlarged them in the hope of gaining time for flight. His scheme for the settlement of the Church was rejected by the house of commons on October 27, and, although the negotiation was not dropped, it had no more chance of success.

[1] *Lords' Journals*, x., 454.

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CHAP. XV.

Since the previous year a number of persons in the army had been convinced that the king ought not to be restored on any terms whatever, but brought to trial and deposed as a public enemy. The events of 1648 strengthened this party and gave the army power to execute any resolution on which it might agree. Ireton drew up the Remonstrance of the Army, in which he argued that it was impossible to frame terms which would bind the king, and just to execute him as a traitor for his attempt to turn a limited into an absolute monarchy. He also demanded that the Prince of Wales and Duke of York should be summoned to stand their trial, and in default be declared incapable of governing and sentenced to death. A certain number of the king's adherents, he added, should suffer the same penalty. Probably on Ireton's motion, Fairfax summoned a council of officers to meet at St. Alban's on November 7, but instead of adopting Ireton's views, it resolved to break in upon the treaty of Newport by tendering to the king certain proposals which he eluded. Then the council of officers adopted the Remonstrance and presented it to the house of commons.[1] The presbyterian members ignored it, and tried to gain the king by merely banishing the leaders in the second civil war. Although Charles would make no more ecclesiastical concessions, they prolonged the time of the treaty. But the time of their own power had almost expired. Cromwell had at length accepted the conclusions set forth in the Remonstrance, and with his help its partisans became masters of the army, for Fairfax, whose rank and services alone could counterpoise Cromwell's, was more than ever perplexed and uncertain.

The council of officers decided first to secure the king's person by removing him to Hurst Castle, situated at the end of a long spit of land which half-closes the western entrance of the Solent. At daybreak on December 1 Charles was taken thither and there he remained for eighteen fateful days. In the house of commons November 27 had been appointed for a debate on the Remonstrance, but the subject was odious to most of the members and the debate was adjourned. Then the officers resolved that the army should enter London to put constraint upon the houses. In a public declaration they appealed

[1] *Commons' Journals*, vi., 81.

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from the existing parliament "unto the extraordinary judgment of God and good people". They announced its approaching dissolution and the election of a new parliament. Meantime the members faithful to their trust were invited to seek the protection of the army which would uphold their authority. On December 2 the army occupied London. Three days later the presbyterian members carried a resolution that the king had been removed to Hurst Castle without the knowledge or consent of the house, and another resolution that the king's answers to the late propositions were grounds for the settlement of the kingdom.

This defiance of the army by the commons left the military chiefs no alternative but to dissolve or to purge the parliament. As those members who supported them were adverse to a dissolution and it was probable that a general election would return a house of commons even more hostile, they resolved to purge rather than dissolve. Without orders from Fairfax the approaches of the house were occupied by soldiers early on the morning of the 6th. Colonel Pride was in command, and Lord Grey of Groby pointed out the obnoxious members, who were turned back, and, if they resisted, were put under arrest. In the afternoon the prisoners were removed to an adjoining tavern, known as Hell, where they spent the night in some discomfort. On the same day Cromwell arrived in London and declared his approval of what had been done. The next morning he took his seat and received the thanks of the house for his victories. Yet there still were some who winced under the constraint of military power, and on the 8th the commons adjourned for a few days. In all, forty-seven members had been arrested and ninety-six had been turned back, and, after the adjournment, others stayed away of their own accord. At this point the history of the long parliament may be said to close. The remnant, the rump, as it was afterwards called, did not represent the nation; it was a mere group of public men depending for power and even for safety upon the soldiers.

The house once more expelled all that were left of the eleven members, reaffirmed the vote of no addresses, and repealed the votes authorising the treaty of Newport and allowing Hamilton and other leaders in the second civil war to atone for their offence by fine or banishment. The officers sent Major

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CHAP. XV.

Harrison, a stern, unwavering enthusiast, to bring the king to Windsor. Even then they were in doubt how to act, for, whatever they might think of the king's guilt, they knew that the nation would not approve his punishment and that many of their own friends wished to spare his life. They made a last overture through Lord Denbigh, but the king would not even grant him an interview. Thus ended the long series of negotiations between Charles and his conquerors. Orders were at once given to reduce the king's attendants and forbear the ceremonial which even to that time had been maintained around him. The commons adopted a resolution that, by the fundamental laws of this kingdom, it is treason in the King of England for the time being to levy war against the parliament and kingdom of England. They passed on January 1, 1649, an ordinance erecting a high court of justice for the king's trial. The very few peers who still sat rejected the ordinance and resolution, and adjourned for a week in the hope of giving pause to the lower house. The commons reaffirmed their resolution and passed a new and slightly different ordinance, which named 135 commissioners to try the king. Next day they passed three more resolutions:—

"That the people are, under God, the original of all just power; that the commons of England, in parliament assembled, being chosen by and representing the people, have the supreme power in this nation; that whatsoever is enacted or declared for law by the commons in parliament assembled, hath the force of law and all the people of this nation are concluded thereby, although the consent and concurrence of the king or house of peers be not had thereunto."

Conformably with these resolutions the term ordinance was discarded and the act erecting a high court was passed on January 6.[1] It named among the commissioners almost every person of account, civil or military, who could be thought willing to accept the dangerous honour of a seat on this unprecedented tribunal; yet so widespread and so powerful was the sentiment against bringing a sovereign to trial, and such were the doubts and scruples even of those who had borne part in the latest revolution, that when the high court of justice first assembled, on January 8, only fifty-two of the commissioners answered to

[1] *State Trials*, iv., 1046.

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CHAP. XV.

their names. Some who appeared then, like Fairfax, appeared no more. When the court met a second time, on the 10th, it chose Sergeant Bradshaw, a respectable lawyer, as president, and another lawyer, John Cook, as solicitor to the commonwealth. A few days were spent in settling the procedure, and in preparing the charge against the king, who was brought from Windsor to St. James's Palace. Order was given that the trial should be held in Westminster Hall, and that during its progress the king should be lodged in Cotton House, not far distant, probably lest his frequent passing to and fro should heighten that popular compassion which, impotent though it was, expressed itself loudly in all quarters. January 20 was appointed for the first day of the trial.

Even in the hall the voice of protest was raised, for when the clerk calling the roll of the commissioners pronounced the name of Fairfax, a lady answered from the gallery, "He has more wit than to be here". Sixty-eight commissioners, one-half of the whole body, answered to the call. The king was brought to a crimson chair in front of the bar, where he sat down, careless and unmoved, refraining from any act which might imply recognition of the tribunal. Behind him were ranged Colonel Hacker's men, to whom the guard of his person was committed. Colonel Axtell with a strong detachment held back the crowd which was admitted to the farther end of the hall. Cook read the charge, which set forth that Charles Stuart, being admitted King of England with a limited power, out of a wicked design to erect an unlimited power, had traitorously levied war against the parliament and people of England, thereby causing the death of many thousands, and had repeated and persevered in his offence.[1] On these grounds he impeached Charles Stuart as a tyrant, traitor, murderer, and a public and implacable enemy of the commonwealth of England. Then Bradshaw, in the name of the good people of England, required the king to answer the charge. "It is a lie," cried the same voice, "not a half nor a quarter of the people of England." Axtell would have had his men fire into the gallery, but they forbore, and on inquiry Lady Fairfax was found to have uttered those daring words. When she had withdrawn the king asked by what authority he was called to answer. Bradshaw replied by the

[1] Rushworth, vii., 1396.

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CHAP. XV.

authority of the people which had elected him king. Charles replied that he was king by inheritance and might not answer save to lawful authority. As he persisted in his refusal, he was remanded to Cotton House.

On the next day but one the king was again brought to the bar. When he would have urged again his reasons for denying the jurisdiction of the court, he was interrupted by Bradshaw, who at last ordered the guards to take away the prisoner. On the following day the king was brought to the bar for the third time and Cook demanded judgment. Again Bradshaw required him to answer, again the king declared that he stood for the liberty of the people of England, which would suffer if he acknowledged an unlawful jurisdiction. After some vain altercation Bradshaw ordered the clerk to record the default, and the king was removed from the hall. Sentence against Charles as contumacious should have followed, but the judges were not unanimous. Some scrupled to pronounce the irrevocable doom or trembled at the thought of all the enemies that doom must make. The people at large were known to pity the king; the lord general might intervene by force; the Scottish commissioners had protested thrice against the arraignment of a King of Scotland before an English tribunal. Perhaps with the hope of gaining time to compose the dissensions between its members, the court spent two days in taking evidence of the acts charged against the king. During this interval Cromwell, Ireton, and other inflexible men solicited their wavering colleagues so effectually that the court at length resolved to pass sentence, and the death-warrant was actually drawn up and signed by some of the judges. When Charles was brought to the bar on January 27, he desired that sentence might not be given until he had been heard before the lords and commons in the painted chamber. The judges withdrew to consider this request, which, after some debate, was refused. When they had once more taken their seats in the hall, Bradshaw justified their decision at length and ordered the clerk to read the sentence. Charles, still protesting, was led out amid cries of "Justice" and "Execution," and was taken to Whitehall and thence to St. James's Palace.[1]

[1] *State Trials*, iv., 1116.

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CHAP. XV.

Even among those members of the high court who had joined in passing sentence some hesitated long before they signed the death-warrant. It was finally signed by fifty-eight of the judges, among whom Cromwell and Ireton, Ludlow and Marten, Hutchinson and Harrison were the most distinguished. Execution was to be done on January 30 and in the open street before the banqueting house of Whitehall, the only finished part of that vast and sumptuous palace which James and Charles had designed to replace the Whitehall of the Tudors. Efforts were still made to save the king. The assembly of divines petitioned for his life, the ambassadors of the States General offered their intercession, the Prince of Wales sent a blank sheet of paper bearing his arms and subscription which the parliament might fill with what terms it pleased in return for sparing his father. The stern masters of England, who believed themselves to be doing a solemn act of public justice, were not thus to be shaken in their purpose. Charles himself banished idle hope and with the help of Juxon, Bishop of London, spent all his hours in devout preparation for death. He was allowed to take farewell of the Princess Elizabeth and of Henry, Duke of Gloucester, who alone among his children remained in England.

On the morning of Tuesday, January 30, Charles rose early and continued in prayer and meditation until Colonel Hacker knocked at the door. Then, accompanied by Juxon, a guard of halberdiers before and behind, he walked across the park between the long lines of infantry while the deafening roll of many drums shook the frosty air. At Whitehall he had to wait for some time. About two o'clock Colonel Hacker called him forth, and Juxon followed. On the scaffold stood Colonel Hacker and another officer and two men disguised with masks. Around it were ranged dense masses of horse and foot, and beyond them was a mighty multitude which had come in mingled curiosity and sorrow to behold a sight as yet unparalleled in the history of England and of Christendom. Finding that his voice could not reach the people, Charles addressed a few words to those who stood about him. He disclaimed the guilt of the civil war, but owned that, for an unjust sentence which he had suffered to take effect, he was punished by an unjust sentence upon himself. He warned his hearers that they were out of the lawful

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CHAP. XV.

way and could not prosper until they gave what was due to God, the king and the people. "For the people, truly I desire their liberty and freedom as much as anybody whosoever, but I must tell you that their liberty and their freedom consists in having of government those laws by which their life and their goods may be most their own. It is not for having share in government, sirs, that is nothing pertaining to them; a subject and a sovereign are clean different things, and therefore until you do that, I mean that you do put the people in that liberty as I say, certainly they will never enjoy themselves."[1]

After making a last profession of faith, Charles gathered his hair under a cap, took off his cloak and his George which he gave to Juxon, with the one word "Remember," and laid himself down upon the block. He breathed a short prayer and stretched forth his hands, the appointed signal. The executioner severed the head from the body at one blow, and held it up to the view of the crowd, which answered with a fearful groan. When the body had been embalmed and coffined, it was borne to St. James's Palace and thence, as the ruling powers would not allow its interment in the chapel of Henry VII., to St. George's Chapel in Windsor Castle, where it was laid to rest. The Duke of Richmond and a few other nobles followed their master's hearse, but Juxon was not suffered to read the burial service.[2]

Those who judge Charles with candour will not doubt that he was sincere in his political and religious opinions. From infancy he had been taught that prerogative cannot be restrained by law, and that a king should make his subjects conform to the true Church. Peaceable remonstrance, armed opposition, defeat and disaster, a prison, and the approach of death could not modify these convictions. Those who withstood him were bad subjects and bad Christians whom it was his right, or rather his duty, to quell even by means repugnant to worldly honour, such as double intrigues or foreign weapons. Had Charles been restored to the throne, it is probable, apart from the lassitude of advancing years, that he would have followed once more the course which led to his downfall. Too much in earnest for frank submission to circumstances, and too untrustworthy for

[1] Whitelocke, *Memorials*, p. 375.

[2] Sir Thomas Herbert, *Memoirs*, pp. 194-207 (ed. 1813).

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CHAP. XV.

any compact to bind, he exasperated enemies who had begun with showing forbearance until they would be content only with his death. That his trial and execution were illegal needs no proof, and that they shocked nine-tenths of his subjects is certain. It was inequitable to treat a leader in a civil war as an ordinary criminal for acts which he could not have committed without the assent and help of a great part of the nation. It was impolitic to punish an offending sovereign in such a way as to make him a martyr and transfer his claims to a young man who was still innocent. Yet, if we allow for the passions of the time and the provocation which Charles had given, we shall readily understand how honest men might deem themselves bound to exact the uttermost penalty and by an awful precedent establish, what lawyers and theologians had so long denied, that kings are responsible to their subjects.

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CHAPTER XVI.

THE ESTABLISHMENT OF THE COMMONWEALTH.

CHAP. XVI.

UNTIL the king's death the immemorial constitution of England had remained intact, although its operation had been suspended by the disorder of the time. New constitutions had, indeed, been proposed, but parliament had done nothing to displace the old. When the military chiefs resolved upon trying and punishing the king, Ireton agreed with Lilburne that a committee, partly of soldiers, partly of civilians, should elaborate the model of a new republic on the basis of the agreement of the people. The outcome of their work was published in December, 1648, and with some amendments was submitted by the council of officers to the commons. At the time of the king's trial no man had any thought to spare for legislation, and after his execution the revised agreement was found impracticable. It would have established a democratic commonwealth and insured an early dissolution of parliament. But such was the state of affairs within and without, that a dissolution would probably have resulted in anarchy or in a speedy return to old institutions. That remnant of the house of commons which wielded sovereignty and the officers who upheld it were content to make such changes as they deemed essential, deferring the rest to a time of more quiet.

The commons began with excluding all members who had voted that the king's latest proposals afforded a ground of settlement, or who should refuse to record their disapproval of that vote. Their next measure was to suppress the house of lords. Five or six peers, the remnant of the house, while holding aloof from the trial of the king and ignored by the commons, had continued to meet and transact ordinary business, and, after the king's execution, proposed a joint discussion

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CHAP. XVI.

of the future government. The commons, without attending to the message, resolved that the house of lords was useless and dangerous, and ought to be abolished. On February 7 they resolved that the office and power of a king were unnecessary, burdensome, and dangerous to the liberty, safety, and public interest of the people, and ought to be abolished. Both resolutions were converted into acts.[1] A republic was thus virtually established, and in May another act declared England to be a free commonwealth, governed by the representatives of the people in parliament.[2] As the first need of the new republic was an executive power, the commons determined to erect a council of state chosen by themselves, and named a committee to settle the details. The committee fixed the number of the council at forty-one and its duration at a year, unless it were previously ended by parliament. No person nominated to the council could take his place until he had declared his approval of the trial and execution of the king and of the abolition of monarchy and the house of lords. The council was to have the direction of the naval and military forces, the conduct of foreign affairs, the right of consulting on all matters of public interest, of administering an oath, and of imprisoning offenders against its authority. These resolutions of the committee were promptly embodied in an act.[3] But the test of admission to the council proved too stringent, since most of the persons nominated, including Fairfax, refused to approve the king's trial and execution. It was, therefore, resolved to be sufficient if such persons would declare that they concurred in the settling of the government for the future in the way of a republic without king or house of lords, and would promise to be faithful in the performance of their trust. The council chose Bradshaw as its president. It stood in the closest relation with parliament, for thirty-one of the first councillors were also members of the house, which was reduced to about sixty persons.

Next to an executive a judiciary was indispensable. The great seal had been entrusted to commissioners, Sir Thomas Widdrington and Bulstrode Whitelocke, who would gladly have

[1] Scobell, *A Collection of Acts and Ordinances*, ii., 7 and 8; *Commons' Journals*, vi., 166, 168.

[2] Scobell, ii., 30.

[3] *State Papers Domestic, Interregnum, Parliamentary Order Book*, i., 62 and 87.

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CHAP. XVI.

laid down their office after the king's death. Widdrington escaped on the plea of ill-health, but Whitelocke was obliged to continue his labours with two new colleagues, Keble and Lisle.[1] The great seal was broken and a new great seal made, engraved on one side with the arms of England and Ireland and on the other with a representation of the house of commons sitting; the legend *In the first year of freedom by God's blessing restored, 1648.* The king's death having vacated the commissions of all the judges, six refused to act under the new government. Their places were filled up, and the style of king's bench was changed to that of upper bench. The parliament could not entrust to any of the ordinary courts the trial of certain leaders in the second civil war, Hamilton, Holland, Norwich, Lord Capel, who had taken part in the defence of Colchester, and Sir John Owen, who had tried to raise a rebellion in North Wales. For this purpose it established a new high court of justice. As the facts did not admit of dispute, all were condemned to death, for Hamilton's plea that he was not an English subject, but a Scot acting in obedience to the Scottish parliament, was over-ruled Hamilton, Holland, and Capel were beheaded in front of Westminster Hall on March 9. Norwich and Owen were spared.

The English commonwealth was in form a democracy as compared with most republics then existing, but in substance it was an oligarchy, half religious, half military, ruling over an incomparably greater number of disaffected subjects. In England the Roman catholics, the Anglicans, and the presbyterians were all hostile to the government, for all adhered to monarchy and hated the sects. All who had fought for Charles, and more than half of those who had fought against him, were enemies of the commonwealth. Even that multitude which cared little for political or ecclesiastical disputes was unfriendly to the commonwealth, because it chafed under military dictation, heavy taxes, and interference with its accustomed pleasures. Among the minority which approved the principle of the commonwealth there were many differences of opinion. Some, while hoping to establish in calmer times a really free republic, upheld the actual government as the only means of fulfilling their ideal. Such men were Ludlow, Hutchinson,

[1] Whitelocke, *Memorials*, pp. 378-80.

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CHAP. XVI.

Vane, and, greatest of all, John Milton, who accepted the office of secretary for foreign tongues to the council, and, not content with the discharge of paid duty, sacrificed his eyesight to the literary defence of the commonwealth. A number of logical and enthusiastic democrats, among whom John Lilburne was the most conspicuous, wished to affirm at once the sovereignty of the people, to dissolve the parliament, and to consult the nation as to how it should be governed. They were soon at bitter enmity with the statesmen and generals, who saw that a democratic policy would end in the restoration of all that the democrats abhorred. Another party of zealots, who became known as Fifth Monarchy men,[1] looked for the speedy abolition of human government throughout the world, the coming of Christ, and the reign of the saints. As the reign of the saints can never be the reign of the majority, this class of men was instinctively hostile to the democrats. For the moment they upheld the ruling powers, but their allegiance to any government was uncertain. Lastly, there were a few inconsiderable persons who desired a renovation of society as distinct from government, and would fain have established a rural communism. But England then contained so many petty freeholders that they found few disciples, and their achievements ended with digging up some common land on St. George's Hills in Surrey.

Amid dissensions and dangers the real foundation and strength of the new republic was its superb army, numbering nearly 50,000 veterans, invincible in the combination of severe discipline with political and religious fervour. That army was in one respect less dangerous to its masters than other armies formed in a time of revolution. Its rank and file were not mere swordsmen, but wished to return into the ways of order and peace. Yet the very circumstance that they were citizens as well as soldiers laid them open to all the democratic and sectarian fancies of the time. Their pay was still in arrear, and many were loth to embark for Ireland until they had received what was due. Lilburne and other levellers took advantage of their discontent and counselled them to appoint

[1] So called with reference to the four kingdoms of the Book of Daniel, understood as the Assyrian, the Persian, the Macedonian, and the Roman. The Fifth Monarchy men believed that the last (then surviving as the Holy Roman Empire) was about to pass away and would be followed by the Kingdom of Christ.

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CHAP. XVI.

agitators as they had done before. The commanders, from Fairfax downwards, were resolved not to allow any division of authority, and decided that the soldiers should present no petition save through their officers. Parliament ordered that Lilburne should be prosecuted as a traitor for stirring up mutiny. On April 17 the regiments to serve in Ireland were chosen by lot, and the men were given the choice of going or of quitting the service. Some hundreds threw down their arms and were sent home. A week later part of Whalley's regiment, which was quartered in London, broke into revolt. Six were condemned to death and one, Robert Lockyer, was shot in St. Paul's churchyard. The Londoners showed their feelings by giving him a stately funeral.

Other mutinies took place at Banbury and at Salisbury, where the whole of one regiment of horse and the greater part of another refused to proceed towards their port of embarkation for Ireland until the liberties of England had been secured. They struck northwards from Salisbury, hoping to find comrades who would take part with them. So grave was the danger that Fairfax and Cromwell went in pursuit with two regiments of horse and three of foot. The mutineers crossed the Thames and took up their quarters at Burford in the Cotswolds, where they deemed themselves beyond immediate danger. Making a forced march, Fairfax and Cromwell fell upon Burford at dead of night, and with little loss captured or dispersed the whole body. Four of the prisoners were tried by court-martial and three were shot; the rest, to the number of 400, were pardoned. By this prompt and vigorous repression the levelling spirit, which at one time seemed likely to infest all the troops, was almost extirpated. The soldiers remained republican and even democratic in temper, but rarely withstood the commands of their officers or essayed to meddle in politics, and the commonwealth was rescued from the worst of internal dangers.[1]

Ireland was almost all in arms against the new government. In January Ormond had made a treaty with the confederate catholics, by which they obtained independence for their parliament and freedom for their religion, while they undertook to furnish him with 15,000 foot and 500 horse. Ormond in-

[1] See Gardiner, *History of the Commonwealth*, ch. ii. and the authorities therein cited.

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CHAP. XVI.

vited the Prince of Wales to join him in Ireland, and Rupert with the royal ships came to Kinsale. O'Neill stood aloof and Rinuccini was hostile; but the nuncio's influence had fallen so low that he left Ireland in February. The execution of the king assisted Ormond by dividing his enemies. Many even of the English in the service of the parliament were alienated, and the Scots in Ulster, like their countrymen at home, refused to hold any correspondence with a regicide republic. Yet Ormond was in reality weak. He was trying to use the confederates for the benefit of the house of Stuart, and they were trying to use him for the benefit of their country and religion. Inchiquin and his troops, while obeying Ormond, bore no goodwill to the catholics and deserved none from them. If the Ulster Scots were disposed to join Ormond, the Ulster Irish became all the more distrustful. Ireland had been so much impoverished by long warfare that Ormond could with difficulty pay or equip his men. He presented, however, such a formidable appearance that the new government of England made the conquest of Ireland its primary care.

In Scotland Argyle and his friends, when restored to power by the defeat of Hamilton, proscribed their foes by what was known as the Act of Classes. Those who had taken part with Hamilton, or had not opposed him, were divided into three classes, and debarred from holding office or sitting in parliament for life, or for ten or for five years respectively.[1] A briefer exclusion imposed on all who were guilty of moral or religious offences, enabled the covenanters to banish from public life any who might dislike their policy. Still unshaken in their attachment to monarchy and the house of Stuart, the covenanters were incensed that an English faction should presume to try and execute a King of Scotland. They adopted the insane course of restoring their young king on terms which would degrade the meanest subject, and of quarrelling for his sake with their mighty neighbour, while they placed all his most loyal followers under a ban. The subtle Argyle saw the danger; but he could keep his supremacy only by flattering popular sentiment. When the English were preparing to try their king, Argyle opened a correspondence with Hamilton's

[1] *Acts of the Parliament of Scotland*, vi., 352-56.

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CHAP. XVI.

brother Lanark and with Lauderdale. When the king's death became known, young Charles was forthwith proclaimed King of Scotland, although upon conditions. Sir Joseph Douglas was sent informally to learn whether he would qualify himself for the exercise of royal authority by subscribing the covenants, but Charles reserved his decision.

As Charles could not wring help from any foreign power, he was forced to seek a basis of operations in Ireland or in Scotland. To regain protestant Britain with the help of Irish catholics was no hopeful enterprise. To buy the help of the Scots by promising to enforce the Solemn League and Covenant on England and Ireland was to incur certain dishonour for doubtful profit. Those councillors who, like Hyde, abhorred presbytery, wished Charles to try his fortune in Ireland. Those who, like Culpepper, were indifferent on the point of religion, thought that Scotland would be more useful for his purpose. Montrose hoped to win Scotland by means of the Scottish royalists, and Charles granted him a commission as governor and captain general in that kingdom. For himself, Charles was disposed to act upon Ormond's invitation, which arrived early in March. On the 27th he received the Scottish commissioners charged with the formal negotiation. Finding that he was expected, not only to ratify the covenant in Scotland but to impose it on England and Ireland, Charles protracted the negotiation as long as he might, and at length declared in May that, while he would uphold the presbyterian system in Scotland, he could do nothing in his other kingdoms without the consent of their respective parliaments, and would not infringe the treaty concluded by Ormond with the confederates. It would have been well for his fame, and no worse for his interest, had Charles held firmly to that answer. The commissioners took it as a refusal and returned to Scotland.

Charles, who was almost penniless, sought for relief from the Spanish governor of the Low Countries, from King Philip himself, and even from Pope Innocent, but sought everywhere in vain. The indifference of foreign governments to English affairs at that time, so bitterly recorded in Clarendon's history, is not surprising. Unlike the French revolution, the English revolution was strictly insular. Englishmen did not attempt to make political or theological converts abroad, and foreigners knew

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little and cared less about English politics or religion. Until the close of the thirty years' war in 1648 the principal states of the continent were engrossed in their own quarrels. The restoration of peace to a great part of Europe by the treaties of Westphalia allowed more leisure to note the extraordinary events which were passing in England, and the death of Charles I. sent through the neighbouring countries such a thrill of horror as the men of our time can scarcely conceive. Yet none durst presume to relieve his heir, much less to assail the regicides.

Cardinal Mazarin, who ruled France in the minority of Louis XIV., was an Italian adventurer, beloved by the queen regent but hated and despised by the nobles, the lawyers, and the citizens of Paris. These feelings broke out in the singular disturbances known as the Fronde, which were not quelled for several years. France was still at war with Spain, and internal discord helped the Spaniards so well that the French were in no condition to challenge another enemy. The regent and the cardinal hated the commonwealth, and long refused to recognise it, but they would do nothing for Charles II. The Dutch republic was at the height of power and glory, and the house of Orange, whose honours had been borne by three great men in succession, was also at the zenith. Prince William, the head of that house since 1647 and son-in-law of Charles I., was able, warlike, and ambitious, and he would gladly have mounted higher yet by restoring a King of England. But the peace with Spain and the consequent reduction of the army lessened his power and strengthened his instinctive enemies, the merchant aristocracy, who insisted on a prudent reserve. The States General, while eluding all recognition of the commonwealth, forbore any hostile act. With the object of improving neutrality into friendship, the English government sent to the Hague, as a special envoy, Dr. Dorislaus, a Dutchman by birth, although settled in England. Dorislaus, having been concerned in preparing the charge against the king, was esteemed a regicide by the cavaliers and was murdered by some Scottish exiles. Either by good fortune or by the negligence of the authorities they all escaped, and England obtained no satisfaction beyond the civil excuses of the States General. The Spaniards, who piqued themselves on religion and loyalty, abhorred the Eng-

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CHAP. XVI.

lish heretics, rebels, and regicides, but could not afford to indulge their loathing when their utmost strength was taxed by the war with France and by the effort to subdue revolted Portugal. Philip IV. even tried to profit by the notorious ill-will of the French towards England. Although he would not recognise the commonwealth, he allowed his ambassador, Alonzo de Cardenas, to remain in London and correspond secretly with members of the council of state. Spaniards, Dutch, and French alike were confirmed in their prudence by the haughty and resolute tone of the new rulers of England, who refused to treat with any state until it should have recognised the commonwealth, and who showed by the vigour of their administration how perilous would be any attempt to kindle rebellion against their authority.

In order to secure the communication with Ireland, Colonel Robert Blake, who had won great honour by his defence of Lyme and of Taunton in the civil war and had been appointed one of the generals at sea, was sent with a squadron to blockade Rupert in Kinsale harbour. The Irish campaign was delayed by the difficulty of raising money to pay the troops and the consequent danger of their disaffection. Cromwell, whom the council of state named to the command in March, would not go until he had assurance that his men would receive what was due to them. Ormond, therefore, continued to gain ground, and in June he encamped close to Dublin. Against Monk he sent Inchiquin, who took Drogheda and Dundalk, while the Scots took Belfast and Carrickfergus. But by that time the parliament had conferred on Cromwell the double office of commander-in-chief and governor of Ireland for three years and had furnished him with means to take the field. He decided to reinforce Jones in Dublin with a part of his troops, and with the main body to assail Munster, where the English settlers were thought to be wavering in their allegiance to Charles. Jones, having received the reinforcement, brought Ormond to a battle at Rathmines near Dublin on August 2, and defeated him with such heavy loss that he abandoned all thought of investing the city and withdrew to a safe distance. On the news of this victory, Cromwell changed his plan and sailed for Dublin, leaving Ireton to command the Munster expedition. Either because the wind proved adverse or because

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CHAP. XVI.

he learnt that the prospect in Munster was less hopeful than he had believed, Ireton followed Cromwell to Dublin, where the whole English army was concentrated before the end of August.

Cromwell came to Ireland with an inexorable determination to break the royalist power, to beat down the national resistance, and to avenge the massacre of 1641 which, in his mind, as in so many others, assumed gigantic and fabulous proportions. Although he shared the puritan loathing for the Church of Rome, he was not, elsewhere than in Ireland, an eager persecutor of Roman catholics. In Ireland he pursued catholicism with remorseless hate, because he believed that the priests had prompted the massacre and would always prompt revolt against the English power. The Irish character and the grievances of the Irish he failed to comprehend as utterly as other Englishmen of that time. Yet he would not allow purposeless devastation. As he found that the troops already in Ireland had been accustomed to rapine and cruelty, he published a declaration forbidding the soldiers to molest any person not in arms or to meddle with their goods, and promising that all who brought supplies should be paid in ready money.[1]

Ormond could not afford to risk a general action until he had received the succours which he expected from different parts of Ireland. In order to check Cromwell's northward march, he strengthened the garrison of Drogheda with his best soldiers and entrusted the command to Sir Arthur Aston, a veteran of the English civil war. He rightly divined his enemy's intention. On September 1 Cromwell took the field with 10,000 men, and two days later he appeared before Drogheda. As the town lies partly on the northern, partly on the southern bank of the Boyne, and the town bridge then afforded the sole means of crossing, Cromwell could only assail the south front. The garrison, consisting of English as well as Irish troops, was nearly 3,000 strong, but the ancient walls were unfit to resist artillery. Cromwell lost some time in waiting for his siege train which had been sent from Dublin by sea. On the 10th he opened fire and on the next day, finding the breach practicable, he ordered a storm. The defenders made a brave stand and

[1] Carlyle, *Letters and Speeches of Oliver Cromwell.*

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CHAP XVI.

repelled two assaults, but at the third, led by Cromwell himself, they broke and fled into the town. Cromwell gave orders to slay them all, including some who, like Aston, had already been admitted to quarter by his soldiers. Sir Edmund Verney, the colonel of Ormond's regiment, and other officers were slain next day in cold blood, and of the whole garrison very few escaped. Such priests as were found were likewise massacred, and some of the townspeople shared their doom; how many it is impossible to say, for the evidence of those who were on the spot is both vague and contradictory. According to the usage of war at that time, quarter might be refused to a garrison which had stood an assault; and then and long afterwards the storm of a town was usually accompanied with some butchery of the inhabitants. Cromwell justified the fearful example made at Drogheda on the ground that it would save bloodshed for the future.[1] His lieutenants speedily recovered Dundalk and other northern fortresses, thus ending all fear lest the enemy should take the offensive from that quarter.

Cromwell himself turned southwards to attack Wexford and open a way into Munster. Wexford extends along the spacious haven formed by the river Slaney, and on that side could be relieved by Ormond. After the English had taken Rosslare Fort at the mouth of the harbour and the fleet had disembarked the siege train, Cromwell summoned the town and Colonel Synott, the governor, began to treat, but broke off the negotiation on receiving a reinforcement. On October 11 Cromwell battered the castle with such effect that Synott offered to surrender, and, while Cromwell was preparing an answer, Captain Stafford, the governor of the castle, treacherously admitted the assailants. When this became known, the defenders of the neighbouring works were struck with panic, forsook their posts, and fled into the town, hotly pursued by the Cromwellians. In the market-place the soldiers and citizens rallied and strove to make some resistance, but were soon overpowered and forced towards the river. With them may have been mingled many non-combatants, but no quarter was given and, besides those who were slain, some 300 were drowned in trying to escape by boat. As at Drogheda, the priests were put to the sword. Cromwell estimated that of the Irish about 2,000 perished and

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Letter cv.

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CHAP. XVI.

of his own men not above twenty.[1] The soldiers made a rich booty, as the citizens, besides their commerce, had waged successful war on English shipping. To have taken Wexford so quickly and with so little loss was of the utmost advantage to Cromwell, for the autumnal rains had set in and disease was wasting his army.

Cromwell next summoned New Ross, which surrendered on the 19th. The English part of the garrison took service with their countrymen. Already the English soldiers and citizens in Cork had declared for the parliament. Youghal followed the example of Cork, and Cromwell sent Roger Boyle, Lord Broghill, who wielded a strong family influence in Munster, to spread the English defection. Rupert, who dared not remain longer at Kinsale, took advantage of a storm which drove Blake from his watch to escape into the ocean. Ormond purchased O'Neill's assistance by a treaty which restored all the forfeited lands in Ulster and secured the catholic clergy in the possession of all the churches which they then held; but O'Neill, who had long been in ill-health, died on November 6, and the Irish lost the one leader who could have revived their spirit. Cromwell himself prepared to besiege Waterford, where the citizens refused to admit Ormond's soldiers. He was, however, disabled by sickness, and when at last he invested the town, heavy rains made the roads impassable for guns and threatened the destruction of his army by fever and ague. On December 2 he raised the siege and went into winter quarters. The whole of the eastern and much of the southern seaboard of Ireland were in his possession.

Ormond gained little by this respite. He could not heal the antipathy between English and Irish, protestant and catholic. Having no money to pay his soldiers, he could not prevent pillaging, which turned the country people against their defenders and caused the little food left in the country to be carried away or concealed. He was forced to warn Charles that unless his majesty could procure pay for the troops, his coming to Ireland would be useless. Ormond himself found that the remnant of his authority was passing to the catholic bishops. They met at Clonmacnoise and put forth a declaration to rouse the spirit of the people, in which they

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Letter cvii.

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CHAP. XVI.

asserted that Cromwell was bent on extirpating the catholic religion, which he could not do without massacring or banishing the catholic inhabitants of Ireland, and exhorted their countrymen to union and obstinate resistance. Cromwell thought fit to answer this declaration with one of his own "for the undeceiving of seduced and deluded people"; a curious document, illustrating the common English opinion of that time about Irish affairs and the degree of sophistry to which great men will sometimes descend. He declared that he would not molest any for their thoughts as to religion, but that he would not allow the exercise of the mass in any place where he had power. Yet he would not allow that this implied extirpating the catholic religion, because the mass had long been prohibited by law.[1] His manifesto proved how impossible was any understanding between the English commonwealth and the Irish catholics, and how sound was the advice of the bishops, although they contributed little towards its execution.

At the end of January, 1650, Cromwell took the field once more to subdue what fortresses were still held by the Irish in Kilkenny and Tipperary. He was repulsed in an attempt to storm the city of Kilkenny, but Sir Walter Butler, the governor, hopeless of relief, surrendered on condition that the soldiers should depart unmolested, taking the catholic clergy with them, and that the townsmen should ransom their goods from pillage. Broghill was so successful in Munster that Inchiquin's English soldiers capitulated for leave to go abroad or to retire into those parts of Ireland which were subject to the commonwealth. Ormond was forced to convoke the Irish bishops at Limerick, and they immediately attacked his authority. In Ulster Ewer Macmahon, Bishop of Clogher, was elected to succeed Owen Roe O'Neill as general. Then the Scots of Ulster overcame their scruple about submitting to a regicide parliament. The royalist combination was thus breaking in pieces, and the really national party had neither leaders, nor discipline, nor resources equal to the emergency. On April 27 Cromwell laid siege to Clonmel, the last Irish stronghold in Tipperary, which was defended by Hugh O'Neill, a nephew of Owen, with 1,200 Ulstermen. On May 9 Cromwell judged the breach practicable, and gave the word. The breach was carried, but behind

[1] Carlyle, *Letters and Speeches of Oliver Cromwell.*

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it O'Neill had raised a strong semicircular retrenchment. CHAP. XVI.
"Never was seen so hot a storm of so long continuance and so gallantly defended, neither in England nor in Ireland."[1] At length the English were driven back with immense loss, but the Irish had spent all their ammunition. The same night O'Neill marched out towards Waterford, and in the morning the mayor surrendered the town on condition of safety for the lives and estates of the citizens. Soon afterwards Cromwell was recalled to England, and left Ireton deputy. He had decided the issue of the Irish war, although one-half of Ireland remained to conquer.

Charles waited long in Jersey for tidings which should justify his going to Ireland. Meantime Argyle and his friends decided to renew their invitation, and the Scottish parliament chose George Winram to bear its offers to Charles. As he was charged to insist on the terms already found so unacceptable, his efforts were for a long time fruitless. Even when Charles had given up the hope of achieving anything in Ireland, he still tried to temporise. In January, 1650, he wrote to the committee of estates that he would be ready to confer with their envoys at Breda. At the same time he wrote to Montrose promising to do nothing during the treaty which would impair his commission and bestowing on him the garter as a fresh proof of confidence. When this letter became known to the committee of estates, several members demurred to any further negotiation. Finally the committee resolved to negotiate, but to impose conditions even more stringent. In February Charles left Jersey, where he no longer felt secure, and in March he met the Scottish commissioners. Still hoping to raise forces on the continent and to be helped by an insurrection in England, he would fain have eluded the Scottish demands, and it was not until May 1 that he signed the treaty of Breda.

For many months Montrose had been labouring to collect the means for his expedition. He resolved to make the Orkneys his place of arms, and sent thither Lord Kinnoull and some foreign officers to raise and discipline the islesmen. He sought for assistance from the rulers of Brandenburg, Denmark, and Sweden, but to little purpose. A Scottish merchant of Gothenburg made him an advance, which enabled

[1] Whitelocke, *Memorials*, p. 457.

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CHAP. XVI.

him to collect a few hundred men, chiefly Danes and Germans. He despatched them to Orkney early in 1650, and followed himself in March, to find that Kinnoull had died soon after landing, and that nothing was ready. After concluding the treaty of Breda, Charles sent Sir William Fleming to countermand the expedition, but his letter never reached Montrose, who crossed to the mainland in April with his foreign soldiers and such recruits as he had raised in the Orkneys. He counted on a widespread insurrection in the Highlands. Following the coast as far as Dunrobin Castle in Sutherland, he turned inland up Strath Fleet, but found none to join him, and had to return eastwards. On April 27 his little force was surprised and routed by Colonel Strachan in Carbisdale near the Kyle of Sutherland. Montrose tried to gain the western coast, where he might take ship for the continent, but was seized and delivered up by Macleod of Assynt.

The covenanters spared no indignity that malice could devise. Montrose was taken southwards with his feet tied under the horse's belly. When he reached the gate of Edinburgh he was bound on a high cart, which the hangman drove to the Tolbooth. As he had been condemned some years before, no trial was necessary; but he was summoned before the parliament to hear his doom. To the angry invective of Loudoun, the chancellor, he made a brief and spirited reply, protesting that he had never broken the covenant and had always acted by the king's commission. The clerk register pronounced the sentence. Montrose was to be hanged on a gallows thirty-five feet high for three hours, and then to be taken down and dismembered. His head was to be set upon the Tolbooth, each limb exposed in some other town, and his body interred in the Boroughmuir unless the Kirk should be pleased to revoke his excommunication. A copy of Wishart's history of his exploits was to be hung about his neck at his execution. With serene majesty Montrose sustained the insults of the ministers and politicians who had so often trembled at his name. He gloried in his fate, and declared his wish that he had flesh enough to be sent to every city of Christendom as a testimony of the cause for which he suffered. The sentence was duly executed, and several of his followers were put to death soon afterwards. Montrose had spent his marvellous

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CHAP. XVI.

powers on an impossible task; but his name can never be forgotten while genius and valour and a tragic fate appeal to human sympathy.[1]

The Scots were still resolved to have Charles for their king, but to allow him no freedom. He was required to take the covenants without delay, and to declare void all treaties whatsoever with the Irish rebels. The act of classes was to be enforced, the supporters of the engagement were not to approach the king's person, and sixteen of his most trusted friends and advisers were by name forbidden to enter the kingdom. Charles could not endure either to accept these terms or to forego his hopes of a crown, but embarked on June 2 with his friends and the Scottish commissioners, in the hope that when he reached Scotland his presence would induce the Scots to mitigate their conditions. Either in avoiding the ships of the commonwealth, or driven by stress of weather, he came to Heligoland, and there perceiving that he had no choice, he agreed to all that the commissioners required. On June 23 he reached Speymouth, and before disembarking swore to the covenants. On his southward journey he was forced to part with all the friends whom he had brought, save nine, and even of these some were debarred his presence. Charles was the more compliant because he still hoped for an English insurrection which would relieve him from his humiliating bondage.

When the Scots took Charles for their king, they ensured a war with England, for he would certainly try to regain his principal kingdom, and under the Solemn League and Covenant they might claim the right to assist him. In Scotland preparations were made for war. In England the parliament established a new high court of justice, and took other measures to prevent rebellion. Money was raised by pressing the sale of confiscated lands. Fairfax should naturally have taken command of the army destined to act against the Scots. But Fairfax had long been uneasy in his office. The purging of the house, the execution of the king, the rule of the army and the rump had not been desired by him, although he had acquiesced in them. His wife was a staunch presbyterian and royalist. Thus dissatisfied, he was still faithful

[1] Wishart, *Deeds of Montrose*, ed. by Murdoch and Simpson; Napier, *Memoirs of Montrose*.

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CHAP. XVI.

to the state and ready to act on the defensive, but he scrupled at an invasion of Scotland, although this was the only effective way of securing England. Neither the arguments of the council of state, nor the entreaties of his brethren in arms, including Cromwell, newly returned from Ireland, could overcome this scruple.[1] At the end of June Fairfax resigned the office of general and was succeeded by Cromwell. In Ireland Ireton still acted as lord deputy, with the assistance in civil affairs of two, afterwards four, commissioners. Cromwell was to lead an army into Scotland, while Harrison was to command the troops in England.

On July 22 Cromwell crossed the border with 16,000 men of whom one-third were cavalry. Towards the Scots he felt far otherwise than towards the Irish. The Scots, however misguided, were still protestant brethren. To convert them from political and ecclesiastical error by argument and persuasion would have been a victory more acceptable than any that could be won by arms. Cromwell sent before him a declaration of the parliament and another of the army "to all that are saints and partakers in the faith of God's elect in Scotland," remonstrating with them on their choice of Charles Stuart as king. The general assembly framed an answer and Cromwell replied in a letter to the general assembly. These expostulations, however earnest, were of no avail. The Scots had assembled about 26,000 men, but they were far inferior to the English veterans. The true royalists were either excluded at first or afterwards weeded out, and most of the rank and file lacked both zeal and experience. Leven was once more commander-in-chief, but his lieutenant-general David Leslie really directed operations. It was resolved to stand on the defensive after wasting the region through which the invaders had to pass, and the peasants were induced to quit their homes by fearful tales of English cruelty.

The English could not thus be arrested, for their ships commanded the sea and ensured supplies to their army. In a week Cromwell reached the neighbourhood of Edinburgh. Leslie had taken an admirable position, where one flank was covered by Edinburgh and the other by Leith, both fortified

[1] Whitelocke, *Memorials*, pp. 460-62; Ludlow, *Memoirs*, i., 243-44.

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towns, and his front by entrenchments garnished with artillery.[1] There he lay immovable and would not be lured forth by Cromwell's manœuvres. Charles came to inspirit his friends, but was presently driven away by the committee of estates. The spirits of the ministers rose and they dictated a new purging, which weakened the army by 3,000 men. Cromwell who needed a safe harbour for the ships which brought him food, fell back to Dunbar. When he had provisioned himself he retraced his steps towards Edinburgh, with the intention of passing round the city and seizing Queensferry, so as to cut off Leslie from supplies and oblige him to offer battle. In pursuance of this design Cromwell removed his quarters to Braid Hill, south of Edinburgh. Knowing that there was dissension in the Scottish camp, he waited in hope that one of the parties might negotiate with him, but Charles appeased strife for the moment by a declaration which bewailed his father's resistance to reformation and his mother's idolatry. When at last Cromwell threatened Queensferry, Leslie had taken at Corstorphine, west of Edinburgh, a position too strong for attack. Sickness was thinning the English army, and on August 31 Cromwell began a second retreat to Dunbar. CHAP. XVI.

Dunbar stands on a narrow space between the Lammermuir Hills and the sea. Cromwell arrived on September 1 and encamped his troops on the low ground near the town, while Leslie took post above on Doon Hill, the last spur of the Lammermuirs, and sent a force to seize the defile of Cockburnspath, some miles beyond Dunbar on the road to England. Cromwell was in a dangerous position. His effective men were reduced to 11,000, perhaps one-half of Leslie's strength. To fight his way through was difficult; to stay long at Dunbar in the presence of a superior army was impossible; and there were not ships enough to carry off all his men, even if they were not molested while embarking. Fortunately Leslie did not abide on his vantage ground, where he had neither shelter nor water. Assured of victory and fearing only lest the enemy should escape, the committee of estates and the ministers of the Kirk insisted upon action, and on the 2nd Leslie gave orders to descend with the purpose of fighting the English as soon as possible.

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Letter cxxxv.

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CHAP. XVI.

The armies were separated by a stream known as the Broxburn, which comes down from the hills to the sea about a mile and a half south of Dunbar. Where it traverses the high ground it runs in a deep dell, but as it approaches the coast the banks fall away and it can readily be crossed in several places. At the point where it intersects the road to Berwick stood Broxmouth House, which the English held as an outpost. To the south of the stream, Leslie descending from the hills spread out his forces so as to front the road which the English would have to follow, but his left wing was cramped by the ravine of the Broxburn. Desperate as Cromwell's case seemed, he was resolved to attack, and to concentrate his force upon Leslie's right wing, for if he were victorious there, the rest of Leslie's army, crowded between the hill and the burn, would have no room to re-form. At a council of war that night, some officers proposed that the foot should be sent away by sea and that the horse should try to break through the enemy. But Lambert, to whom Cromwell had communicated his design, opposed the suggestion and prevailed on the council to vote for an attack.

Before daybreak on the 3rd, three regiments of horse and two of foot were sent across the Broxburn to cover the passage of the rest, and performed their task without much difficulty, for the Scots after one or two false alarms had concluded that the English would not attack in such tempestuous weather, and were not on the alert. Many of the cavalry had unsaddled their horses, most of the infantry had not their matches lit, and a number of officers had quitted their posts to find shelter from the rain. The rest of the English followed across the Broxburn, and Cromwell marshalled his whole army with its rear to the sea and its front to the hill, a position which left no alternative save death or conquest. On the left, Lambert, with the best part of the cavalry, and in the centre Monk with the infantry, began the attack. The Scots, at length fully roused, confronted them with equal courage and greater numbers. The English were giving way when Cromwell brought up the reserve and renewed the onset. The Scottish right was broken, the infantry of the Scottish centre gave way before the cavalry charging them in flank, and the whole Scottish host fell into irretrievable ruin. "Let God arise, let His enemies be scattered!"

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exclaimed Cromwell, as the sun rose on that field of havoc. A fierce chase for many miles gathered in all the fruits of victory. The Scots lost 3,000 men slain, 10,000 prisoners, nearly 200 colours, 15,000 stand of arms, and all their baggage and artillery. The English loss seems to have been insignificant.[1]

Cromwell allowed the country people to remove such of the Scottish prisoners as were wounded and sent the rest to England. Some perished by the way of hunger and fatigue; more died of sickness in Durham, where they were confined; and the residue were sent to serve the New England colonists, who used them not unkindly. Having regained freedom of movement, Cromwell advanced from Dunbar for the third time, and entered Leith and Edinburgh without resistance, although the castle still held out. Leslie, with perhaps 4,000 fugitives, retreated towards Stirling, and the stubborn Scots, not crushed although defeated, began to raise a new army. But the spirit of their warfare was changed. As Cromwell wrote: "Surely it's probable the kirk has done their do. I believe their king will set up upon his own score now, wherein he will find many friends."[2] In an age when every success or defeat was deemed the immediate and visible judgment of Heaven, the rout of Dunbar shattered the ascendency of the covenanters. Their purgings of the army, their distrust of the king, their assurance of victory had been judged by the God of battles, and they could avert worse calamity only by allowing all who would do so to join in the defence of the country. The old followers of Hamilton began to cherish new hopes, and Charles could not conceal his joy at the worst overthrow which the house of Stuart had ever experienced.

He tried to lure Argyle into an alliance with the Hamilton party, and he arranged with the royalists of the north to rise in his defence in October. The project having come to the ears of the committee of estates, they enforced a new purging of the royal household and bodyguard. Charles fled from Perth to join his friends, but was overtaken and brought back. This

[1] Cromwell's own account of the battle (Carlyle, *Letters and Speeches of Oliver Cromwell*, Letter cxl.) is brief and general. Professor Firth, *Transactions of the Royal Historical Society*, N.S., xiv., has analysed all the available evidence and reached results differing from those of previous historians, but accepted by Gardiner.

[2] Carlyle, *Letters and Speeches of Oliver Cromwell*, Letter cxli.

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CHAP. XVI.

incident, which became known as the Start, led the committee to take a milder tone and grant an indemnity to those who would have risen on the king's behalf. The more rigid covenanters, led by Colonels Ker and Strachan, then put forth a remonstrance to the effect that they would not fight for the king until he had proved his repentance and expelled the malignants. Yet they would have nothing to do with Cromwell, who advanced to Glasgow in the hope of an understanding. He returned to Edinburgh, but finding that the western covenanters were still troublesome, he took the field again in the depth of winter. A skirmish at Hamilton, on December 1, ended in the surrender of Ker and Strachan and the dispersion of their followers. On December 24 Edinburgh Castle surrendered, and the English became masters of all the south of Scotland.

Such was the singular position of Charles that every reverse increased his power or, at least, his freedom. The parliament which met at Perth in November still professed devotion to the covenant, but welcomed any old partisan of the engagement who would take it. Many of the clergy gave way and consented to the pardon of those who testified repentance. On January 1, 1651, Charles was crowned at Scone with such splendour as the time allowed, and again swore faithfully to observe the covenants. As the returning engagers became more powerful in the court and army, Argyle felt so ill at ease that he retired to his castle of Inverary. The Duke of Hamilton, formerly Earl of Lanark, and other engagers openly possessed the ear of the king. In a new session of parliament they procured the repeal of the act of classes, thus admitting their followers once more to public life and the service of the crown. Since the engagers would be able to act with the English royalists far more cordially than the strict covenanters, Charles became more dangerous than ever to the commonwealth.

In England the royalists had been plotting incessantly, but their secrets were not well kept, and from time to time some of the conspirators were arrested. A few were executed by sentence of court-martial or of the high court of justice. In January it became known that a general insurrection had been planned to break out at the end of the previous year, and was only deferred to some favourable opportunity. Thomas

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CHAP. XVI.

Coke, a royalist agent, who was arrested in March, turned informer to save his life, and mentioned a number of presbyterian ministers as foremost in the conspiracy. Three of them, Case, Jenkins, and Love, were arrested, and Love was tried and condemned by the high court of justice in July. After much hesitation, he was executed on August 22. Many suspected persons were thrown into prison, the militia was held in readiness, and Harrison was sent to the border to repel royalist inroads. At the end of June Leslie chose a strong position at Torwood, a little north of Falkirk, where he could cover Stirling and defy all the efforts of Cromwell to bring about a battle. Cromwell resolved to dislodge the Scots by cutting off their supplies, which they drew mainly from Fife. Having command of the sea, he occupied North Queensferry, and sent part of his army across the Firth of Forth in charge of Lambert. Leslie detached against Lambert a force of 4,000 men under Sir John Brown, but it was defeated and almost destroyed at Inverkeithing. Cromwell then crossed with the main body and marched against Perth, which surrendered on August 2. The necessity of forcing the war to an issue before his soldiers should be consumed by the hardships of another winter campaign, outweighed in his judgment the risk of leaving England open to a Scottish invasion.[1]

As the Scots could no longer remain in their position, and were not strong enough to encounter Cromwell, Charles resolved to throw himself upon England and trust to the chance of a general rising. Although he could not persuade Argyle or the genuine covenanters to take part in the adventure, he broke up from Stirling on July 31, and marched rapidly southwards with 20,000 men. Cromwell sent Harrison instructions to hang on the flank of the invaders and harass them in detail. Despatching Lambert with 3,000 horse to follow in their rear, and leaving Monk with a force sufficient to besiege Stirling, he set out from Leith on August 6 with the main army. The council of state embodied the militia of the counties on the invaders' line of march, and raised 2,000 horse and 8,000 foot for the defence of London. Meanwhile Charles pressed on by Carlisle and Lancaster, and brushed aside Harrison and

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Letters clxxv., clxxx.

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CHAP. XVI.

Lambert, who had joined to withstand him near Warrington. Few Englishmen, however, would consent to share his fortunes. The Earl of Derby left his island of Man with a few soldiers, and tried to raise Lancashire for the king. He succeeded in collecting some 1,500 men, but they were routed near Wigan by Colonel Lilburne. Those who were not killed or taken dispersed, and the earl, wounded and almost alone, fled southwards to join his master. Nor did Charles find more encouragement as he passed through the counties bordering on Wales. When he reached Worcester on the 22nd with a tired, disheartened, and diminished army, he could go no farther, and sat down to fortify the city.

He was allowed short space for rest or reflection. Taking an easterly route through Northumberland and Yorkshire, Cromwell pushed forward with his accustomed speed, and joined Lambert and Harrison at Warwick only two days after Charles entered Worcester. With the militia regiments which had come in, he could dispose of 28,000 men. The Scottish generals leaving a garrison in Worcester, quartered the bulk of their army on the western bank of the Severn, so as to keep open their communication with Wales, the only region likely to afford them any succour Cromwell, who wished to cut the Scots off from Wales, sent part of his troops under Lambert and Fleetwood to cross the Severn at Upton, a few miles below Worcester, while he held the main body in readiness to assail the city from the east. A bridge of boats was then laid across the river Teme, which barred the march of Lambert and Fleetwood up the valley, and another bridge was laid across the Severn, so as to afford a shorter communication between the two forces. During these preparations Cromwell was joined by 3,000 more militia, raising his total strength to almost twice the strength of the enemy. On the afternoon of September 3, exactly a year after the victory of Dunbar, everything was ready for the double attack.

Charles had but one advantage, his central position. The fight first raged beyond the Severn, where the Scots made an obstinate resistance, until Cromwell reinforced Fleetwood so strongly that they were driven back into Worcester. From the top of the cathedral tower Charles could see how much the enemy on the eastern bank was reduced in number, and he seized

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CHAP. XVI.

the moment for a vigorous sally. At first he gained ground, but Cromwell soon returned with overpowering numbers, forced back the Scots, and stormed his way into the city. The Scots fought desperately, rallying again and again, and replying with shot to Cromwell's own offer of quarter. At length the foot laid down their arms, and the horse burst out of the gates, Charles himself, and Derby, and Hamilton, and Lauderdale among the crowd. But the homeward way was too long, the country people were too bitter against the invaders, and the officers of the parliament too watchful, for many to escape.[1] Hamilton died of his wounds, and Derby and Lauderdale yielded themselves prisoners. Derby was condemned by court-martial at Chester and sent for execution to Bolton-le-Moors. Lauderdale remained in the Tower until the restoration. Charles, after passing through strange hazards, and proving the generous faith of many obscure men and women, made his way to Brighthelmstone,[2] and thence in a small barque to Fécamp, in Normandy, where he landed on October 16. The prisoners of the rank and file had various fortunes. Many were put to forced service at home, or in Barbados, or in New England; while some were allowed to return to their own country.

Scotland, having lost three considerable armies within four years, was exhausted and could no longer defend its independence. Monk had received the surrender of Stirling Castle on August 14. One of his officers surprised Leven and the committee of estates at a conference in the little town of Alyth, and took them all prisoners. On September 1 Monk stormed Dundee, putting to the sword most of the garrison and some of the citizens, and making a rich booty. Before the close of the year all the lowlands had been subdued with the exception of a few castles, and the last of these, the well-nigh inaccessible Dunnottar, capitulated on May 26, 1652. Even Argyle, who had hoped to regain his old position as ruler of Scotland with English support, yielded to the common destiny, and allowed the parliamentary commanders to garrison his castles. Some time elapsed before the highlands were thoroughly subdued. The parliament passed an act to incorporate Scotland with England, and the union was proclaimed at Edinburgh in April.[3]

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Letters clxxxii., clxxxiii.
[2] Now Brighton. [3] *Commons' Journals*, vii., 107, 118.

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CHAP. XVI.

The Scots generally were to enjoy the rights of English subjects and full freedom of conscience. The estates of those who had taken part in the invasions of England were confiscated to defray the expenses which they had caused, but their tenants were allowed to hold of the commonwealth at easy rents. While the English admired their own generosity in treating the conquered as fellow-citizens, the Scots detested the domination of the old enemy, and the Kirk writhed under a toleration conferred by those very heretics whom it had so long laboured to destroy.

The conquest of Ireland had not been stayed by the departure of Cromwell. The Ulster army, the last Irish force worthy that name, was routed at Scariffhollis, in Donegal, on June 21, 1650, and its commander, the Bishop of Clogher, was taken and put to death. Waterford surrendered to Ireton on August 6. The Irish still held the line of the Shannon, with Athlone and Limerick, but they lacked direction worse than ever. Ormond had so completely lost credit that in August he was deposed from his office by the bishops assembled at Jamestown. Finding that he could do nothing more, he named the catholic Earl of Clanricarde lord deputy, and retired to France. Clanricarde wielded no more authority than his predecessor, and the bishops formed the only real government, a government unfit to wage a struggle for national existence. Within the English bounds small parties, availing themselves of the woods and bogs, and assisted by the goodwill of the peasantry, continued to wage a guerilla warfare. Unable to catch these nimble adversaries, the English sought to starve them out by destroying houses and crops, so that the dearth which had long afflicted the country became more severe, and fever and pestilence spread in its train. Whole districts were left unpeopled and untilled, and the conquerors were often hard bestead for daily food.

When summer returned a force from Ulster took Athlone and invaded Connaught, while Ireton prepared to besiege Limerick. The city was strong and well supplied, and Hugh O'Neill, the governor, gave proof of the same skill and courage which he had shown in the defence of Clonmel. All attempts to carry Limerick by storm having failed, Ireton determined at the end of June to starve it into surrender. Month after month

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CHAP. XVI.

passed away; the plague made fearful ravages within the walls; the besiegers at last found a spot from which their batteries could do execution, and strife between the defenders rose to a height which made further resistance impossible. Articles of capitulation were signed on October 27, 1651. Ireton, who died of the plague a few days afterwards, was honoured with a sumptuous funeral and a grave in Westminster Abbey. The commissioners appointed to help him in the civil administration named one of themselves, Major-General Ludlow, to command the army until the pleasure of the parliament should be known.[1] Clanricarde tried to negotiate, but Ludlow would only hear of unconditional submission. All through the winter and spring the districts which still held out were wasted with fire and sword. On May 12, 1652, Galway opened its gates, and the chiefs of the last Irish forces in Leinster accepted the articles of Kilkenny, which became a precedent for future capitulations. Great numbers of Irishmen, it is said 34,000, scorning submission to the hated foreigner, gained leave to go abroad and recruited the armies of the catholic powers. The state of Ireland was such as could be paralleled only by the state of Germany at the close of the thirty years' war. Petty reckoned that since the beginning of the rebellion the population had fallen from 1,466,000 to 850,000.[2] He might exaggerate, for he had no trustworthy data, but the loss of life had certainly been enormous. Miserable as was the condition of the Irish catholics, the future afforded them no comfort, for the parliament had bound itself to effect an immense confiscation of lands belonging to the rebels, and was disposed by feelings of revenge and precaution to go even further.

While the commonwealth was subduing Ireland and Scotland, it asserted with equal vigour the dominion of the seas. At the time of the execution of Charles I. the royalists held a number of naval strongholds, the Isle of Man, the Scilly Isles, Jersey, and in Guernsey Castle Cornet. They also possessed a respectable fleet. After escaping from Kinsale in November, 1649, Rupert steered for Lisbon, confident that King John IV.

[1] Ludlow, *Memoirs*, i., 294.

[2] Petty, *Political Anatomy of Ireland*. This estimate includes the losses of the protestants, which he places at 37,000 for the first year and at 112,000 for the whole period.

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CHAP. XVI.

would befriend the enemies of a regicide republic. The king granted the hospitality which he sought, but in March, 1650, Blake appeared at the mouth of the Tagus in pursuit of Rupert. For some time both fleets lay near each other in the estuary while John wavered between the claims of honour and of prudence. At length he resolved to continue his protection of Rupert, and Blake received orders to treat the Portuguese as enemies. The Spaniards, who regarded them as rebels, allowed Blake to supply his wants from Cadiz and Vigo, thus enabling him to keep his station at the mouth of the Tagus. Twice Rupert strove to escape, but, finding the enemy on the alert, drew back with little loss. In September Blake intercepted the Brazil fleet on its homeward voyage, taking the flagship and seven other vessels with valuable cargoes. Then, as the time was approaching when the ships of that age could no longer keep the sea, he sent part of his fleet home with the prizes and with the rest sailed for Cadiz, where he found a friendly reception.

On October 12 Rupert left Lisbon for the Mediterranean, taking or destroying on the way such English ships as he could find even in Spanish ports and under the fire of Spanish batteries. When he had entered the Straits Blake pursued. Some of Rupert's ships were taken, others were wrecked close to Carthagena, and only three reached Toulon in safety. There Rupert was able to refit and augment his little squadron. Blake returned home to receive the thanks of parliament and Penn succeeded him in the Mediterranean. In the following summer Rupert, having misled Penn by circulating a report that he would sail for the Levant, contrived to slip out of the Straits unmolested. It was his design to make for the West Indies, where the royal cause had many friends and to establish a new base of operations in those distant waters. But his crews preferred to linger near the Azores in the hope of making prizes, and Rupert, who had no resource save in plunder, was constrained to humour their desires.[1] When there was no longer any hope of relief the island fortresses around Britain were easily subdued. The Scilly Isles surrendered to Blake in May, 1651; the Isle of Man was conquered with ease after

[1] For Rupert's voyages see Warburton, *Memoirs of Prince Rupert*, iii., 279 *et seq.*

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the death of the Earl of Derby; Jersey and Castle Cornet were gained in December. CHAP. XVI.

The English colonies beyond the Atlantic had flourished so greatly since the first establishment of Virginia and Massachusetts that their adhesion was already a matter of some consequence to the government at home. The Bermudas were settled by the Virginia company as early as 1612. In 1623 Thomas Warner founded the English dominion in the West Indies by occupying St. Kitt's, and although the English had to share the island with French adventurers and both were almost ruined by a Spanish onslaught in 1629, the colony survived. Starting from St. Kitt's, the English settled Nevis in 1628, Antigua and Montserrat in 1632. More prosperous than any of these settlements was the plantation of Barbados, begun in 1625 by Sir William Courten, a wealthy Londoner of Flemish descent. In 1646 this little island is said to have already numbered 20,000 free inhabitants. Still more notable was a new colony on the mainland of America. Sir George Calvert, who had served James I. as secretary, resigned his office a short time before the king's death, avowed himself a Roman catholic and was created Lord Baltimore in the Irish peerage. Desirous to make an asylum for those of his own faith, he obtained from Charles I. a charter empowering him to settle the region north of the Potomac and investing him with almost sovereign rights over the settlers. A discreet vagueness in its terms made religious toleration possible. Baltimore styled the colony Maryland in honour of the queen, and his own memory is preserved in the name of its greatest city. Among the first settlers who came out in 1634 were some protestants, but the majority was naturally catholic. Before the outbreak of the civil war, the settlements of Rhode Island, Connecticut, Maine and New Hampshire had also been formed.

The New England colonies were instinctively loyal to the commonwealth; but in Maryland and Virginia, in Bermuda, Antigua and above all Barbados the royalists were the stronger party, and were recruited by a stream of exiles from the mother-country. Lord Willoughby of Parham, who had forsaken the parliament, received a commission as governor from Charles II. and reached Barbados on April 29, 1650. A few days afterwards King Charles was proclaimed and the Prayer Book

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CHAP. XVI.

declared to be the only pattern of true worship in the colony. Willoughby could not even restrain his friends from banishing a large number of their opponents. Parliament passed an act to forbid trade with the rebellious colonies, and equipped a squadron under Sir George Ayscue for their reduction. The assembly of Barbados replied with a declaration refusing obedience to a parliament in which the colonists were not represented and claiming the right to trade with all nations. When Ayscue reached Barbados in October, 1651, he found the island so well fortified and such a force under arms that he durst not attempt a landing. But when it became known that the Scottish army had been destroyed at Worcester and that Charles was a fugitive, the wiser royalists persuaded their friends to treat while favourable terms might yet be obtained. By articles of agreement made in January, 1652, the Barbadians acknowledged the authority of parliament, and in return were promised freedom of conscience and of trade with all friendly nations. The other islands followed the example of Barbados, and Virginia and Maryland made their submission in March. On his arrival in the West Indies some time later Rupert could effect nothing beyond the capture of a few prizes. After losing his brother Maurice in a hurricane off the Virgin Islands, he sailed for Europe, put into the mouth of the Loire, and ended his long voyage at the little port of Paimbœuf.

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CHAPTER XVII.

THE ESTABLISHMENT OF THE PROTECTORATE.

ALL that arms could do to establish a new polity had been achieved by the rulers of the commonwealth, but their work was not likely to endure unless it could gain the approval of the nation. The nation was not really represented in parliament. Even when many of the excluded members had been allowed to return and new members had been elected for places known to be loyal, the house remained a mere fragment of a representative body. Feeling that matters could not rest thus, it often discussed projects for its own completion or renewal. A committee appointed in May, 1649, to consider the subject reported in favour of filling up vacancies rather than holding a general election, and even this much was not executed. While war still raged in Britain there was a plausible excuse for doing nothing. But the victory of Worcester removed this excuse and left the army free to interfere in politics. The soldiers would scarcely endure that the handful of public men whom they alone kept in power should continue to govern the three kingdoms for an indefinite time. Cromwell was known to desire a new parliament, and with his support a bill was brought in to fix the time for a dissolution. As the bill passed, the date named was November 3, 1654, which gave the parliament three years' prolongation of authority. Many adherents of the commonwealth began to murmur against the rule of a single assembly without check or counterpoise, and at a conference of officers with members of parliament held in December, 1651, Cromwell frankly declared that "a settlement with somewhat of a monarchical power in it would be very effectual"; memorable words, the first presage of a new political revolution.[1]

[1] Whitelocke, *Memorials*, p. 517.

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CHAP. XVII.

The house could still allege reasons to justify its retention of power. All that had been won in the civil war might have been hazarded by a general election at a time when the people had felt little save the burdens and restraints imposed by the new government. In order to subdue Ireland and Scotland, to clear the sea of enemies, to overawe the unfriendly continental powers, and to extinguish all hope of successful revolt at home, the commonwealth was forced to maintain a great army and navy at a charge hitherto unprecedented. In 1651 the public expenses amounted to £2,750,000, or thrice the total revenue of Charles I. in his most prosperous years. It was necessary, therefore, to continue the extraordinary taxes first imposed in the civil war, the excise and the monthly assessments. Against the royalists the parliament took measures of precaution, which must have been unpopular. When alarmed by the negotiation between Charles and the Scots, it passed an act requiring all men to take the engagement to be faithful to a commonwealth without king or house of lords. When royalist conspirators became numerous, it durst not leave them to the verdict of a jury, but revived the high court of justice. In July, 1651, it passed an act confiscating the estates of seventy of the most distinguished and obstinate royalists, including some who were not then in arms against the commonwealth. Although it passed in the following February an act of oblivion for all treasons and felonies committed down to the date of the battle of Worcester, this act did not release the lands under sequestration. Always feeling insecure and always in want of money, the parliament continued its harshness towards delinquents when lenity might have proved wiser as well as nobler.

The press also excited the jealousy of parliament. The censorship of the Tudors, established by Star Chamber ordinance and enforced by Star Chamber jurisdiction, had expired with the abolition of that court in 1641. There ensued such an outbreak of political literature as had never been known in England. Many hundreds of the pamphlets then published are still preserved in the great Thomasson collection. Although the earliest English newspaper dates from the beginning of the thirty years' war, it was then that newspapers first became a political power. An order of parliament for the publication of

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CHAP. XVII.

its proceedings gave them new matter and the outbreak of the civil war made them doubly interesting. In alarm at the results of this liberty the houses passed in 1643 a restraining ordinance, which called forth the most famous of Milton's pamphlets, *Areopagitica, a Speech for the Liberty of Unlicensed Printing*. Another and a severer ordinance passed in 1647 was not more effectual. An act of 1649 confined printing to London, York, Oxford, and Cambridge, and the importation of books to London. Yet no man seems to have suffered under any of these enactments penalties comparable to those which the Star Chamber had so often inflicted; nor did they avail to silence the royalist press. Their vanity was shown by the success of a book which appeared a few days after the execution of Charles, *Εἰκὼν βασιλική, The Portraiture of his Sacred Majesty in his solitudes and sufferings*. Written by John Gauden, a clergyman who was afterwards recompensed with the diocese of Worcester, it professed to be the king's record of his spiritual experiences and exhibited him in the light of an ideal sufferer. A modern reader may feel disappointed with *Eikon Basiliké*, for its unction is querulous and egotistic. But a book which hits the sentiment of the hour is certain to succeed. *Eikon Basiliké* is said to have gone through fifty editions in one year, and its effect was little impaired by the answer which Milton wrote at the prompting of the council of state and entitled *Εἰκονοκλάστης*, or the Imagebreaker. In 1650 the parliament took a further means of defence against royalist pamphleteers by founding the first official newspaper, the *Mercurius Politicus*, edited by Marchmont Needham, a cynical turncoat, but a journalist of unquestionable talent.

Many vexatious measures were prompted by the puritan spirit. The rulers of the commonwealth showed little respect for the fine arts or sympathy with popular amusement. The noble collection of pictures formed by Charles I. was sold, and many splendid works were lost to England for ever. More than once it was resolved to pull down some of the cathedrals, in order to sell their lead, timber, and stone.[1] The old church festivals, associated as much with the pleasures as with the devotion of the people, might no longer be celebrated. The theatres were shut, and the players were treated as rogues and

[1] *Commons' Journals*, vi., 535.

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CHAP. XVII.

vagabonds. A dulness hitherto unknown began to settle upon English life. The puritan, who drew his ideal of society from the Old Testament, was always ready to believe that immorality and irreligion could be cured by penal laws. Although the independents were hostile to that ecclesiastical discipline which the Kirk exercised in Scotland, although the parliament had suppressed the ecclesiastical courts, this tendency under the commonwealth became stronger than ever. Acts were passed to enforce the observance of the Lord's Day, and to correct profane swearers. Incest and adultery were made capital offences, and fornication was punished with imprisonment.[1] How far such laws avail to make a people virtuous was seen a few years afterwards; but it is certain that they must have made many enemies to the government.

The parliament would best have justified its retention of power had it vigorously essayed to reconstruct what ten years of civil war and revolution had destroyed; but even in the Church no new order succeeded the old. When England joined Scotland in the Solemn League and Covenant, many hoped to establish presbyterianism. The assembly of divines framed a presbyterian organisation, which parliament sanctioned by ordinance in 1646. The strife between presbyterians and independents hindered this ordinance from receiving due effect, and the final victory of the independents extinguished the hope that England would ever become presbyterian in the same sense as Scotland. Both parties were agreed in hostility to bishops. Episcopacy was abolished by ordinance in 1646, deans and chapters were suppressed by an act of 1649, and the episcopal and capitular estates were in large measure sold to private purchasers. The presbyterian organisation was never extended over the whole kingdom or completed in any large portion of it, although more advanced in London and Lancashire than elsewhere.[2] The Westminster assembly drew up a presbyterian form of public worship, the directory which was adopted by parliament in 1645, when the use of the Prayer Book was forbidden. Those who could not dispense with the Prayer Book had thenceforward to assemble privately if they would be safe from inter-

[1] Scobell, ii., 119, 121, 123.

[2] For the extent to which the presbyterian system was actually established see Shaw, *History of the Church of England*, ii., 1-33.

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ruption. In 1650, however, the parliament repealed all acts imposing penalties on those who failed to attend the parish church if they attended divine worship in some other place.[1] The repeal did not benefit the Roman catholics, since the celebration of mass still remained unlawful, but it would benefit the Anglicans who met together to enjoy their own liturgy. The Westminster assembly also drew up a presbyterian statement of doctrine, the famous Westminster confession, but this was not adopted by parliament and never became binding. Throughout England the presbyterians divided the parish churches with the baptists and the independents. Under the commonwealth, therefore, there prevailed no uniformity of doctrine, worship, or discipline, but a large although ill-defined freedom of religious belief.

Freedom encouraged diversity, and some of the new opinions gave general offence. John Biddle taught Socinian doctrines and the parliament ordered the Socinian books to be burned. George Fox and his disciples angered judges and magistrates by refusing to comply with the ordinary forms of deference, and ministers by denouncing all who accepted a maintenance out of tithes and by disturbing the course of public worship. A sect known as the Ranters held that to persons in a state of grace all things were lawful. As the parliament was unwilling to sever the connexion between Church and State or to grant absolute liberty of conscience, it should logically have undertaken anew the reorganisation of the Church of England and determined what opinions might or might not be tolerated. But, overburdened as it was with secular affairs, it shrank from a task so heavy and invidious. At length in February, 1652, it named a committee for the propagation of the Gospel. John Owen, whom the parliament had appointed Dean of Christ Church, Oxford, and other clergymen laid before the committee a plan for an established Church. All who could find testimony of their piety and soundness in the faith were to be eligible as ministers. Persons who dissented from the Church, but accepted the fundamental doctrines of Christianity, might worship in their own way, but were required to notify the magistrate of their place of meeting. Those who rejected the doctrines

[1] Scobell, ii., 131.

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CHAP. XVII.

deemed fundamental were not to have the liberty of propagating their opinions. The committee did not, however, adopt this or any other scheme.

A political revolution which opens new prospects and unsettles the minds of men often arouses the desire for reforms not strictly political. In England under the commonwealth a reform of the law was generally desired. Some regarded all institutions which had come down from the middle ages as relics of the Norman conquest and badges of slavery. A few wished to replace the common law by the law of Moses. Plain men grumbled at abuses in detail, and at the delay and expense in the administration of justice, especially by the court of chancery. The faults of the law were more keenly felt, because the civil wars had disturbed commerce, depreciated property, and multiplied insolvent debtors. In this field something was achieved by the parliament. It passed an act to relieve poor men imprisoned for debt, it resolved that all legal proceedings should be conducted in English, it provided that the judges should in future be paid not by fees but by salaries. In January, 1652, it named a mixed commission of lawyers and laymen to consider what reforms were most urgently needed in the law. The commission worked hard and drafted various projects of reform, which parliament discussed but never passed into statutes.[1] That some of these proposals deserved a better fate would appear by the fact that they were adopted nearly 200 years afterwards.

Thus the parliament failed to seize the opportunity for such great constructive measures as might impress public opinion. The form of the constitution, which excluded the supremacy of any master mind, was adverse to legislation on a magnificent scale. In administration the chiefs of the commonwealth were more efficient. The vigour and success with which they waged war by sea and land afford a strong presumption that they were for the most part upright and laborious. Nevertheless there were men in the parliament and the council of state who enriched themselves by speculating in confiscated lands or by downright corruption. Under James and Charles laxity had been matter of course, and the public assumed almost without

[1] For the history of law and law reform under the Commonwealth see F. A. Inderwick, *The Interregnum* generally.

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indignation that statesmen were as a rule venal. It judged very differently a new government which had been established by force and imposed enormous taxes. The royalists were quiet because bitter experience had taught them how little they could do against regular troops, but they only waited for an opportunity to revolt. Democrats like Lilburne complained that the parliament was making itself perpetual, that it outraged the sovereignty of the people and interfered with the course of justice between private persons. Enthusiasts like Harrison felt that the reign of the saints was as distant as ever. The generality dreaded another civil war, but had no positive affection for their rulers. The parliament continued to depend for power upon an army which was becoming more and more restless and dissatisfied.

The parliament wished to interfere in the contest between France and Spain, but scarcely knew which side to take. It had grievances against both parties. France still refused to recognise the commonwealth and still harboured the Stuarts. French men-of-war and privateers still preyed upon English shipping Spain had recognised the commonwealth, and had testified its wish for friendly relations. When Charles sent Cottington and Hyde on an embassy to Madrid, Philip IV. received them coldly and shunned any engagement. Yet the friendship of states which had so little in common as England and Spain was frail and precarious. In May, 1650, Anthony Ascham, the English resident at Madrid, was murdered by some English cavaliers who took sanctuary. As the benefit of sanctuary did not extend to homicide, they were haled off to prison; but the Church claimed its suppliants, and all that Philip would concede to the English demand for justice was the execution of the one protestant in the band. The others were restored to the sanctuary, whence they afterwards escaped. The injury and the affront, gross in themselves, were enhanced by the fact that the diplomatic agents of the commonwealth, as the fate of Dorislaus had shown, were everywhere in peculiar danger of assassination.[1]

The Spaniards never scrupled to destroy the settlements or to intercept the trade of other nations in the West Indies.

[1] See the *Thurloe Papers*, i., 148-49; and for the spirit in which the royalists and the Spaniards regarded the deed, Clarendon, *History*, xiii., 10-16.

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CHAP. XVII.

Since the conclusion of the peace of 1630 they had slain or expelled the Englishmen who sought to colonise the vacant islands of Tortuga, Providence, and Santa Cruz. They confiscated the English ships driven by stress of weather into their West Indian ports and set the sailors to work on the fortifications. The Spaniards were the traditional enemies of protestantism and would not allow English residents to worship in their own way even in their own houses. This consideration might have been thought decisive with a puritan government; yet many puritans held that the interests of religion would be best served by an alliance with Spain. The King of Spain might be a bigot, but he had no protestant subjects. The French protestants enjoyed a full legal toleration, but found its benefits constantly curtailed by the ill-will of the authorities in Church and State. To secure them in the full enjoyment of their liberty might seem within the power of England at a time when the French government could barely maintain its ground against Spain and the rebellious nobles. Among those nobles the Prince of Condé held the first place by virtue of his royal blood and his genius for war. He was powerful in the south-west of France where the Huguenots were especially numerous, and he sought help from England which Cromwell and others in the council of state were half disposed to grant if they could thus serve the Huguenot interest. They sent Vane to confer with De Retz, the most astute among the leaders of the Fronde, and Lieutenant-Colonel Sexby to Bordeaux that he might report on the plans and resources of the rebels; but for some time they took no further action.

In the beginning of 1652 they were distracted by an overture from Mazarin. Dunkirk, which the French had won from the Spaniards at an earlier period of the war, was invested by the Spaniards and in extreme peril. Mazarin knew that Englishmen had not ceased to regret the loss of Calais or to desire a stronghold on the continent for commercial as well as military reasons. He began an informal negotiation for the surrender of Dunkirk to England in return for English help against Spain. Cromwell and his friends welcomed the offer, and in April, 1652, 5,000 troops were concentrated at Dover in readiness to embark for Dunkirk. Yet no ruler of France could wish to see the English established in a fortress on the very border, and at

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the last moment Mazarin drew back. In May he offered that France would recognise the commonwealth, if England would recall the letters of reprisal issued against French shipping, but made no reference to Dunkirk. The English government would concede nothing until it had been recognised and bade Mazarin's agent quit the country.[1] Then the outbreak of war between England and Holland ended for a time all thought of a French alliance.

The causes of the first war between England and Holland were partly recent, partly of old date. So long as the two kindred peoples had been battling for freedom against Spain, they had been allies and friends. When the English had made peace with Spain, and became rivals with the Dutch for the commerce of the East Indies, a bitter jealousy ensued. The mastery of the Spice Islands was the first object of contention. By a treaty concluded in 1619 the trade of those islands was divided between the Dutch and the English East India Companies. As neither state maintained a public force in those remote waters to control or protect its own subjects, the Dutch Company, which had far greater resources than the English, determined to expel its competitor altogether. In 1621 the Dutch seized Pularoon, one of the Banda Islands. In 1623 certain Englishmen charged with conspiring to surprise the castle of Amboyna were arrested, were cruelly tortured to extract a confession and were finally put to death.[2] Redress was demanded again and again by James and Charles, but without effect, as they were either unable or unwilling to make war. The English were driven from the Spice Islands and the Dutch gained a monopoly of their precious harvests. The East Indies lay so far beyond the range of common thought that the injury and dishonour were little heeded in England. Civil and religious disputes absorbed the public to such a degree that for many years few Englishmen concerned themselves with questions of foreign policy.

The revolution which set up a Calvinist republic in England

[1] On this subject consult Gardiner, *History of the Commonwealth*, ch. xxi., and the article, "Cromwell and Mazarin in 1652," *English Historical Review*, xi., 479 (1896), by the same writer, and the authorities therein cited.

[2] These incidents are fully described in Hunter, *History of British India*, i., 332-434.

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CHAP. XVII.

awakened old sympathies with the United Provinces. The death of the Prince of Orange severed the tie between the Dutch republic and the Stuarts. Then the parliament and the council of state conceived the hope of an alliance or even of a political union between the two commonwealths, and in March, 1651, sent the Chief Justice St. John and Strickland, formerly their agent at the Hague, on a solemn embassy to effect this purpose. The States General met the ambassadors in a friendly spirit and proffered a close alliance, but differences arose regarding the terms; the Dutch negotiators were dilatory, the English negotiators were impatient, and at last St. John and Strickland broke off the conferences and returned home, St. John at least in a mood of high-wrought personal irritation. It does not appear that they ventured to mention the unreasonable and fanciful scheme for a political union between England and Holland. When the hope of an intimate alliance had vanished, the two republics became less and less friendly. In October, 1651, the parliament passed the Navigation Act, by which no goods might be imported from Asia, Africa, or America save in an English ship or in a ship belonging to the English plantations and with a crew at least one half English, and no goods could be imported from any European country save in a ship of that country or an English ship.[1] Such a law was a direct attack upon the prosperity of the Dutch, who, while they could produce little within their narrow bounds, carried the products of all the world beside. It was, however, so clearly within the rights of a sovereign legislature that it could not have been made a pretext for war.

But the Dutch had other grievances. The English still claimed the sovereignty of the seas which surround Britain. Dutch pride revolted from rendering obeisance to the flag of a state which they held inferior to their own in naval power. Dutch common sense refused to ask leave or to pay tribute for fishing in the North Sea, a prime means of subsistence and wealth to the Dutch people. English merchants who alleged that they had suffered wrongs from Dutchmen obtained letters of reprisal which enabled them to prey upon Dutch shipping. Dutch ships carrying French goods were seized and brought in by English privateers, and the goods were condemned by the

[1] Scobell, ii., 176.

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CHAP. XVII.

English courts of admiralty, although the ships were restored. For the English held the doctrine then generally admitted that the neutral flag does not cover hostile goods, while the Dutch held the modern doctrine that hostile goods other than contraband of war are safe under the neutral flag. In December three ambassadors came from the States General to effect a settlement of these disputes, and, if possible, to obtain the repeal of the Navigation Act. The English refused to touch that act and demanded a recognition of their right to control the fisheries of the North Sea, as well as satisfaction for wrongs old and new, whether committed in the East Indies or in Europe. Cromwell and those other councillors who were averse to war with a protestant nation did what they could to effect an understanding. But the English claim to the sovereignty of the sea occasioned a conflict which made war certain.

Always cautious, rather than chivalric, the Dutch government gave its officers no distinct orders whether they should strike their flag to English ships or not. Tromp, the greatest of their admirals, declared that he would never pay this mark of deference save to a superior force. Encountering Blake in the Downs on May 18, and commanding a much larger fleet, he would not obey Blake's summons, and a fierce combat ensued. Tromp at length retreated with some loss. The parliament sent a commission, of which Cromwell was a member, to inquire into the affair, and they reported favourably to Blake, who had done no more than was expected of every English admiral. The Dutch ambassadors made a final demand for redress of injuries to their shipping, and, as they obtained none, they took their leave at the end of June. Thus began the first Dutch war.[1]

Since the Dutch were confessedly the greatest maritime people in Europe, they might have been supposed sure of victory. Yet in a long series of battles they were seldom successful. Their coast was blockaded, their commerce was crippled, and they were at length forced to accept a disadvantageous peace. For this remarkable issue of the war there were several reasons. The English government had unity and energy in a

[1] For the first Dutch war see Gardiner, *History of the Commonwealth*, ch. xxii., xxiii., xxx., and *Letters and Papers relating to the first Dutch War*, 1652-1654, edited by Gardiner and Atkinson for the Navy Records Society.

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CHAP. XVII.

high degree; the Dutch government had neither. It was a clumsy confederation of provinces; every maritime province had its own board of admiralty; and the common bond formerly supplied by the authority of the Prince of Orange had been wanting since the death of William. The mischief penetrated deeper still, for the sailor's patriotism was often provincial rather than national, and the Zealander could not always be trusted to do his utmost under the command of a Hollander. The English commonwealth inherited a fine fleet from Charles I., and the commissioners for the navy had brought it to a perfection hardly attained at any former time. The English men-of-war were larger, more stoutly timbered, and more heavily armed than the Dutch. In every fight they did terrible execution, and received by comparison little harm. Only in the reserve of trained seamen were the English inferior. The English had a relatively small mercantile marine to protect; the Dutch had to protect the largest in the world. The routes followed by Dutch commerce, with the exception of the route leading to the Baltic, passed along the southern or the eastern coast of Britain, and lay open to attack from English ports. Instead of waging war on strict principles of naval strategy, the Dutch admirals were forced to spend their time in convoying large fleets of merchantmen through those dangerous seas. England, despite its flourishing commerce, was still an agricultural country, raising its own food, and supplying most of its wants by native industry. The Dutch territory was so small, and so great a proportion of the Dutch people lived by trade, that any interruption in their command of the sea reduced them to the utmost distress.

When the war began, Blake was sent to drive the Dutch fishermen out of the North Sea, and Ayscue was sent to make prize of the Dutch merchant vessels passing through the Straits of Dover. Blake captured the whole squadron which guarded the herring boats, sent the herring fishers home, and went on to secure a Dutch fleet from the East Indies, which was returning by way of Shetland. Tromp seized the opportunity given by this dispersion of force, and tried to attack Ayscue, but was baffled by contrary winds. Then he pursued Blake to the Shetlands, and was again baffled by a storm which wrecked some of his vessels and scattered the rest. But in August, De

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CHAP. XVII.

Ruyter, who was convoying a number of merchantmen down the Channel, met Ayscue off Plymouth, and gained a victory. The Dutch government, viewing Tromp with suspicion as a partisan of the house of Orange, displaced him for an ill-success which was not his fault. Admiral de With took command of the fleet, and sailed to effect a junction with De Ruyter, while Blake sailed to join Ayscue. Thus the forces on both sides were concentrated in the Channel, and, as De With was eager for battle, English and Dutch encountered on September 8 near the Kentish Knock, a shoal not far from the mouth of the Thames. Blake, who had the advantage of the wind, attacked, and after a confused though stubborn fight, the Dutch were worsted, and a number of malcontent or faint-hearted captains sailed home. The Dutch admirals sought the sheltered waters of Goree, leaving Blake master of the Channel. Their defeat was hardly recompensed by the victory which Van Galen gained over an English squadron near Elba, or by the blockade of another English squadron in Leghorn.

The parliament pressed the war with the utmost energy, and ordered the building of thirty frigates. To fill the treasury it passed an act confiscating the estates of several hundred royalists, for the most part obscure and harmless. Yet it had difficulty in providing for the pay and victuals of the sailors. Blake was obliged to send so many of his ships for repair that in November he had only forty-two available, and of these many were hired merchantmen. Taught by misfortune, the Dutch recalled Tromp to command, and raised his force to eighty-five sail. He was charged with the convoy of a merchant fleet sailing to Bordeaux, but took the occasion to leave them behind and seek Blake, who gladly accepted the challenge, and met Tromp off Dungeness on November 30. Twenty of his ships, mostly the hired merchantmen, held back, leaving him to contend against terrible odds and he was defeated. Tromp, having regained command of the Channel, continued his voyage, and when he reached the Isle of Rhé waited until the merchantmen should have taken their return cargoes at Bordeaux and should need his protection on the way home. He thus allowed his enemy a respite which proved disastrous.

By raising the monthly assessments while reducing the strength of the army the parliament found means to attract the

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CHAP. XVII.

necessary seamen. As Frederick, King of Denmark, the ally of Holland, had closed the Sound to English vessels, the naval stores, which could no longer be obtained from the Baltic, were sought from Scotland and New England. Colonel Monk and Colonel Deane were joined in command with Blake, who had also won his first honours in warfare on land. By February, 1653, the three admirals put out with seventy ships to intercept Tromp, who was returning with a like force, but encumbered by the merchantmen. They came in sight of the Dutch off Portland. Their ships were so clumsy and the skill of their crews so imperfect that their fleet was scattered over the sea in several groups, and Blake and Deane could muster only twenty sail to begin the action. Tromp, who had all his ships well in hand, fell upon Blake and Deane, who maintained a desperate struggle until their consorts could join them. Some of the English ships made a timely diversion by assailing the convoy, and the day ended without much advantage to either party. Tromp had so far exhausted his magazines that he was unable to renew the battle next morning. He continued his voyage, covering the merchantmen as best he could, while the English followed, and in a running fight forced him to burn his last powder. Again many of the Dutch captains deserted their chief and made all sail for home, but with admirable skill and coolness Tromp and his lieutenants continued to hold off the English, and at last effected their retreat.

The Dutch war favoured the views of the party which preferred a Spanish to a French alliance. In August, 1652, the council of state proposed to Cardenas that he should draft a commercial treaty between Spain and England, and he consented. In September he prevailed with the council to hinder the relief of Dunkirk. By its orders Blake attacked and destroyed or dispersed a French fleet bringing supplies for that town, which surrendered on the very next day. The parliament was not, however, satisfied with the treaty drawn up by Cardenas, but offered a draft of its own, ensuring in more ample terms the religious freedom of Englishmen in Spain. Mazarin took alarm, and tried to avert an Anglo-Spanish alliance by sending an agent to London with a letter which acknowledged the English commonwealth. As the agent had no credentials, and the letter was not properly addressed, the parliament de-

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clined to receive it. Even when this defect of form had been supplied and a negotiation for mutual redress of grievances had been begun, nothing was accomplished. The French and Spanish parties in the council and parliament almost balanced each other. The ill-success of the French rebels and the revival of the royal authority awakened the fear that Mazarin and the young King Louis XIV. might attempt something on behalf of the Stuarts. But when it became apparent that Spain would not concede all that the English government desired, English statesmen once more inclined to friendship with France.[1]

During the progress of the Dutch war the army became more and more disaffected. In May, 1652, the parliament appointed days on which a grand committee should sit to consider the time for a dissolution; but in a short time this committee ceased to assemble. Soon afterwards the parliament deeply offended Lambert, who in military reputation and political influence stood second only to Cromwell among the officers. It had been resolved upon Ireton's death that Lambert should succeed him as lord deputy of Ireland, and Lambert had made preparations for assuming that position. The parliament changed its mind, and when Cromwell's term as lord lieutenant expired in June, 1652, it abolished his office and consequently the office of lord deputy. Cromwell was supposed to feel acutely the unhandsome usage of his most distinguished companion in arms. Moreover, the parliament, absorbed in the conduct of a great war, showed less interest than ever in those domestic reforms which many soldiers desired. On August 2, therefore, the officers adopted a petition demanding a maintenance other than tithe for the ministers, the reform of the law, a better financial administration, the provision of work for the poor, the payment of arrears to the troops, the observance of articles of war granted to royalists, and the election of a new representative body. The last demand was afterwards softened into a request that the parliament would consider of such qualifications for members of ensuing parliaments as might prevent disaffected or malignant persons from being chosen.

The parliament referred the petition to a select committee, to which it afterwards referred a bill on elections. It also made some display of reforming zeal, revived the committee for

[1] See authorities quoted by Gardiner, *History of the Commonwealth*, ch. xxii.

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CHAP. XVII.

the propagation of the Gospel, and pressed on a bill for setting the poor to work; but it soon relapsed into its former indifference. So dissatisfied were the soldiers that Cromwell was said to have thought of restoring the monarchy in the person of the Duke of Gloucester, the only child of Charles I. who remained in England. In conversation with Whitelocke, he complained of the self-seeking of the parliament, their design to perpetuate themselves, their injustice and partiality, and suggested the need of some authority to check their exorbitances. "What," he said at length, "if a man should take upon him to be king?"[1] Nevertheless he appears to have laboured honestly for a peaceable settlement of all disputes, and to have encouraged with that view meetings of the principal officers with the parliamentary leaders.

In January, 1653, the officers at length came to an understanding with the council of state for the election of a new parliament. The bill for elections was considered from time to time, and some bills for the reform of the law were advanced a stage. But again the house seemed anxious to do as little as possible, while the impatience of the soldiers grew and found its usual vent in an outburst of prayer and preaching. Some of Cromwell's friends urged him to dissolve the parliament by force, and in March the council of officers would have decided on this measure, but for the intercession of Cromwell and Desborough. The parliamentary leaders were so much alarmed that they thought of displacing Cromwell and making Fairfax or Lambert commander-in-chief. They determined to give the bill on elections a new purport. Instead of holding a general election, they would fill up the vacant seats, and give the old members the right of deciding on the qualifications of the new, and thus prolong their own power indefinitely. When the bill had been passed in this form, they would adjourn the house until November, so as to make repeal or amendment impossible for many months. Cromwell protested in the house against modifying the bill. On April 19 he held a conference of officers and members of parliament at his lodgings in Whitehall, and proposed that the parliament should itself devolve power upon a number of trustworthy men, who would administer public affairs until a new parliament could be chosen. All the politicians except St. John condemned this expedient,[2]

[1] Whitelocke, *Memorials*, p. 549. [2] *Ibid.*, p. 554.

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but they undertook to delay the progress of the bill on elections. Next morning, however, the officers in the house found that the majority meant to proceed with the bill. They expected that after its passing the house would adjourn till November, and that Cromwell would be replaced in command of the army by Fairfax.

Harrison sent word to Cromwell, who came down to the house with a detachment of soldiers. Having posted them within call, he entered and listened to the debate. After a while he called to Harrison, and told him that he judged the parliament ripe for a dissolution, and this to be the time. Although a fearless soldier and fanatic, Harrison half recoiled from the act. "Sir, the work is very great and dangerous, therefore I desire you seriously to consider of it, before you engage in it." "You say well," Cromwell answered, and again sat still for a quarter of an hour. When the question for passing the bill was about to be put, "This is the time, I must do it," he said to Harrison, and standing up he began his speech with commendation of the parliament for the good they had done, but changing as he went on, ended by denouncing their injustice, their self-interest, their design of perpetuating themselves. Putting on his hat, he strode up and down the floor, levelling the bitterest personal reproaches at various members. Sir Peter Wentworth rose to denounce such unbecoming language, the more horrid in that it came from their servant, and their servant whom they had so highly obliged. "Come, come," retorted Cromwell, "I will put an end to your prating. You are no parliament, I say you are no parliament. Call them in, call them in." Harrison gave the word, and the soldiers entered. Vane broke out in protest, but all the answer he received was, "O Sir Henry Vane! Sir Henry Vane! The Lord deliver me from Sir Henry Vane." The speaker refused to move except perforce, whereupon Harrison handed him down from the chair while the soldiers cleared the house. "What shall we do with this bauble?" said Cromwell, looking at the mace. "Here, take it away."[1] Then he snatched the bill on elections from the clerk who had been about to read it,

[1] Whitelocke, *Memorials*, p. 554; Ludlow, *Memoirs*, i., 351-55; Blencowe, *Sidney Papers*, *Journal of the Earl of Leicester*, p. 139; "Cromwell and the Expulsion of the Long Parliament in 1653," Firth, *English Historical Review*, viii., 526 (1893).

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CHAP. XVII.

put it in his pocket, ordered the doors to be locked, and went back to his lodgings at Whitehall.

In this ignominious way ended the most powerful parliament ever known in England. Its expulsion was an act of mere military violence, but it was not regretted by the public. With as little ceremony the council of state was dissolved in the afternoon. Cromwell, with Harrison and Lambert, entered the chamber and closed their deliberations. "Gentlemen, if you are met here as private persons, you shall not be disturbed; but if as a council of state, this is no place for you; and since you cannot but know what was done in the house this morning, take notice that the parliament is dissolved." After a few words of protest from the lord president, Bradshaw, the councillors rose and went their way. The last semblance of lawful authority vanished, and the soldiers with Cromwell at their head stood forth as the masters of England. It was thought that Cromwell would seize on royal power with or without the title of king. Some petitioned him to take upon himself the office of protector of the realm. But whether from lack of personal ambition or from the feeling that things were not yet ripe, Cromwell took care not to assume any pre-eminent authority, and acted merely as the first in rank among the officers.

A new council of state, consisting of seven soldiers and three civilians, was established a few days after the expulsion of the old. What form of national assembly should be summoned was a question on which the officers disagreed. Lambert desired to return as soon as circumstances would allow to the traditional method and provide for the election of a parliament, which should, however, be kept in bounds by a written constitution. Harrison wished to inaugurate the reign of the saints by calling an assembly of pious men who, like the Jewish Sanhedrim, should be seventy in number. Cromwell and the officers had suggested that the late parliament should resign its powers to such a body. At a crisis when the friends of the commonwealth were divided against themselves, a general election might have been perilous. Cromwell therefore decided for such an assembly as Harrison desired, but sought to give it a larger character, to make it a comprehensive gathering of puritan notables, whatever the shade of their opinions. In

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this spirit he invited Fairfax to take his seat there, but in vain. Finally Cromwell and the council of the army wrote letters to the congregational churches in each county, inviting them to send up the names of persons fit to be members. From the names thus submitted the general and the council made their choice, but they also nominated such persons as they thought fit, for they still wished to reconcile all the upholders of the commonwealth. The invitation to Fairfax was renewed and even Vane was sounded. Both held obstinately aloof. The final list included 129 persons to represent England, five to represent Scotland, and six to represent Ireland. Thus, without even the pretence of election, was formed the assembly best known as the Little Parliament or Barebone's Parliament, so styled from one of its members, Praise-God Barebone, a leather-merchant in the city of London.

This assembly was in after years the butt of forced and extravagant ridicule. Most of its members were not very unlike the members of an average house of commons in character and abilities and even in station. One or two peers, many gentlemen of landed estate, and many prosperous citizens sat there. Some were noteworthy men; Monk, the least fanatical soldier of the time; Blake, the illustrious admiral; Lockhart, soon to be distinguished alike in war and in diplomacy; Henry Cromwell, who inherited somewhat of his father's vigour; Anthony Ashley Cooper, afterwards Earl of Shaftesbury, the first great parliamentary leader and party chief of the modern type. In two respects, however, the assembly contrasted with any house of commons that has ever been known in England. The great majority were zealous puritans holding opinions almost as displeasing to the presbyterian as to the Anglican, and they were theoretical politicians who did not comprehend the thoughts and feelings of ordinary Englishmen. They assembled at Whitehall on July 4, and listened to a speech from Cromwell justifying what had been done as necessary for the welfare of the people of God. The officers had been driven to expel the parliament because it would not dissolve itself nor yet do anything for the public good. But they had not sought to keep power to themselves even for a day. Power had come to his hearers by the providence of God, although using weak hands. "I confess I never looked to see such a day as this

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CHAP. XVII.

—it may be, nor you neither—when Jesus Christ should be so owned as He is, at this day and in this work." What might not be hoped from men thus wonderfully raised to power? "Indeed I do think somewhat is at the door; we are at the threshold; and therefore it becomes us to lift up our heads and encourage ourselves in the Lord."[1] In conclusion he told the assembly that the council of state had no authority to sit longer than they should ordain. An instrument was read which gave them power until November 3, 1654, and authorised them to choose before that time another assembly which should inherit their authority and provide for the future government of the nation. A return to elective parliaments, which Cromwell had mentioned in his speech as desirable, seemed to be put off for an indefinite time.

The assembly took the power thus offered, elected Francis Rouse, author of a well-known version of the Psalms, to be speaker, invited Cromwell and four other officers—Desborough, Harrison, Lambert, and Tomlinson—to become members, and assumed the title of parliament. It resolved to employ no man unless it were satisfied of his real godliness. It set up a new council of state, consisting of thirty-one members, and named committees to prepare the subjects which seemed most urgent. Then the parliament fell to the work of reformation with the zeal of men who believe that they have been entrusted with power by an immediate act of Providence. It would not, indeed, abolish tithe until some other provision for ministers had been found. But it abolished the court of chancery by one vote, leaving the committee on law to find a substitute. It named another committee to draw up a code. It anticipated modern legislators by introducing civil marriage and established parochial registers of births, deaths, and marriages. Other acts were passed for the relief of poor prisoners and the custody of lunatics and idiots. Whatever its good intentions, the parliament attempted too many things at once and alarmed too many interests. Most serious of all, it began to evince that jealousy of the power of the sword which seems inherent in all deliberative bodies. The immense cost of the army was a plain grievance, and gave occasion for a popular protest. The excise was denounced, and members made known that they

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Speech ..

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CHAP. XVII.

considered it a temporary expedient. Difficulty and delay occurred in passing the bill which fixed the monthly assessment at £120,000. The pay of the soldiers was in jeopardy, and it was even proposed that the higher officers, whom the state had bountifully rewarded, should serve for a year without receiving anything. Further offence was given by the treatment of Sir John Stawell, a royalist, to whom the parliament refused to restore his estate, which, according to the soldiers, was covered by articles of capitulation.[1]

While lawyers and clergymen, landowners and soldiers were thus exasperated against an assembly which they deemed anarchic, it was denounced as usurping and tyrannical by men who wished to go still further. For an alleged breach of privilege Lilburne had been banished by the long parliament under pain of death if he returned to England. He had intrigued abroad with royalist exiles for a restoration of monarchy on purely democratic principles, and came back after the expulsion of the parliament. He was arrested, but he obtained a trial before the upper bench and the jury pronounced him not guilty of any crime that deserved death. The verdict was acclaimed by the public and by the very soldiers set to guard the court; and, although the new council of state detained Lilburne in prison, they could not hinder his partisans from inviting the people of England to meet and elect a true parliament by universal suffrage. The Fifth Monarchist preachers attacked the little parliament as fiercely as they had attacked its predecessor, and called for the adoption of the Mosaic code and the reign of the saints. Encouraged by the disaffection of so many powerful interests and by the strife of so many parties, the royalists took heart and bestirred themselves so vigorously that it was proposed to revive the high court of justice.

Lambert, in whose despite the parliament had been called, made himself the ringleader of the malcontent officers and soon found an opportunity. In November the house resolved to abolish Church patronage. In December it rejected the first clause of a report brought up by the committee on tithes, and this vote proved fatal to the whole report, which embodied the views of the moderate party and proposed to maintain tithes,

[1] For the proceedings of the little parliament see *Commons' Journals*, vii., 284-363.

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CHAP XVII.

while allowing them to be commuted. Lambert and his friends resolved to use the discontent of the minority in effecting a dissolution, confident that, when the thing was done, Cromwell would approve what he would not have undertaken. They came to an understanding with their friends in the house and with the speaker. Early on the morning of the 12th the minority took their seats, and one of them, Sir Charles Wolseley, after denouncing the acts of the majority, moved that the sitting of the parliament any longer would not be for the good of the commonwealth, and that they should deliver back their powers to the Lord-General Cromwell. A debate followed, and the house began to fill. Then the speaker, fearing that, if the motion were put, it would be lost, rose and repaired to Whitehall, followed by about one-third of the members. Those who remained were soon ejected by Colonel Goffe and Lieutenant-Colonel White, with a file of musketeers. When the speaker and his friends reached Whitehall, Cromwell declared his surprise, but did not refuse their written abdication, which was afterwards signed by so many members that it might pass for the act of the whole house.[1]

The little parliament marks the highest point of the puritan revolution. That revolution was inspired by two principles, distinct and even contrary to each other; the principle that government should conform to the will of the nation and the principle that godly men have a right to govern the ungodly. As the nation would not tolerate the extremer forms of puritanism, the sectaries were led to subjugate the nation. The army, which had become the sole depositary of power, installed a parliament which represented not the people but the congregational churches. The result had been that this parliament chafed against the domination of the sword, and the public chafed against the domination of the sects. With the failure of the little parliament began a return to what was yet practicable in the older institutions of England. Cromwell had desired a settlement with somewhat of monarchical power in it, and had thought of making himself king. A large part of the army agreed with him and helped to begin a series of changes which ended in the restoration.

Lambert and his friends had already prepared a new written

[1] "An Exact Relation of the Proceedings and Transactions of the late Parliament," *Somers Tracts*, vi., 266-84.

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CHAP. XVII.

constitution, the Instrument of Government,[1] which vested supreme authority in one person and in the people assembled in parliament. The one person, styled the lord protector, was to exercise the chief magistracy. He was to be the source of all honours and to have the power of pardon. He was to dispose and order the militia and the other forces by sea and land with the consent of parliament, and in the intervals of its sessions with the consent of his council With the advice of the council, he was to direct foreign relations, and with its consent he might make war and peace. The office of the protector was to be elective, not hereditary, and Oliver Cromwell was declared protector for his life. The Instrument named fifteen persons to be the first councillors, and empowered them with the protector's consent to add six to their number. They were to hold office during life or good behaviour, and could be removed only by a court named partly by the parliament, partly by the council. Whenever a vacancy occurred the parliament was to name six persons, out of whom the council was to choose two, and of these the protector was to appoint one. Thus the protector had very little power over the composition of the body whose advice he required for most acts of state.

The parliament was to contain 400 representatives of England, thirty of Scotland, and thirty of Ireland. In England many small boroughs were to be suppressed and their members given to the counties or to large towns hitherto unrepresented. The distribution of seats in Scotland and Ireland was left to the protector and his council. The franchise in the counties was limited to those who had £200 worth of property, real or personal, the franchise in the boroughs remaining unaltered. Those who had taken part in any war against the parliament since 1641 were disabled from electing or being elected to the next four parliaments. Roman catholics and all who had taken part in the Irish rebellion were disqualified for ever. A parliament was not to last above three years and was not to be prorogued or dissolved during the first five months of its sitting without its own consent. In the event of war with a foreign state, the protector was to summon a parliament if one were not sitting, and respecting the duration of such a parliament nothing was enacted. The parliament had the legislative power.

[1] *Old Parliamentary History*, xx., 248.

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CHAP. XVII.

Bills which it had passed were to be offered to the protector for his consent, but if he failed to give it within twenty days or to satisfy the parliament of his reason for refusing, the bills were to become law, unless they contained matter contrary to the Instrument. The parliament also had the power of imposing taxes, save that a constant yearly revenue was to be settled, sufficient to maintain an army of 30,000 men and a fleet for guarding the seas, and to provide £200,000 a year for the charges of civil administration. This revenue was to be raised by customs and other means approved by the protector and his council, and was not to be taken away or diminished without his consent. The approbation of parliament was made necessary in the choice of certain great officers of state—the chancellor, the treasurer, the admiral, the chief governors of Ireland and Scotland, and the chief justices of both benches.

The first parliament under the Instrument was to meet on September 3, 1654, and until its meeting the protector with his council was empowered to raise money by taxation, and to make ordinances for the peace and welfare of the nation. The Instrument further provided that the Christian religion, as contained in the Scriptures, should be held forth as the public profession. To that public profession none were to be compelled by penalties. Those who professed faith in God by Jesus Christ, although not agreeing with the established doctrine or discipline, were to be protected in the exercise of their own religion, so long as they did not abuse their freedom to the injury of others, or the disturbance of the peace. But this liberty was not extended to popery or prelacy, or to such as practised licentiousness under the profession of Christ. Religious tolerance as it was understood by the independents was thus made a principle of the constitution.

The Instrument was an attempt to restore an orderly government in accordance with English traditions. Misgovernment was to be rendered impossible for the future by setting up a balance of powers under the sanction of a fundamental law. But the balance was illusory. As the new constitution was imposed on England by the will of the army, the chief of the army became protector, and, in case of conflict with the parliament, his will inevitably prevailed. The Instrument furnished no means for deciding doubtful points of interpretation, still

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less for amending provisions which might be found defective. Cromwell afterwards declared, what is hard to believe, that he had not been consulted by those who drew up the Instrument. He accepted it when offered to him, on condition that he might criticise details, and on December 16 he was inaugurated as protector in Westminster Hall, and solemnly conducted to Whitehall, which was to be his official residence.

Neither the expulsion of the Rump nor the failure of the nominated parliament impaired the vigour of English foreign policy. The Dutch were reduced to severe distress, and would have accepted any tolerable terms; but even Cromwell, who regretted the war, was disposed to exact more than they could honourably concede. With the return of summer the naval contest was resumed on a grander scale. In May, Tromp convoyed an immense fleet of merchantmen as far as Shetland, where he met another fleet homeward bound, and brought it safely into the Dutch ports. One English fleet, under Monk and Deane, sought vainly for Tromp in the North Sea, while another fleet, under Blake, was fitting out at Portsmouth. Tromp, when freed from his convoy, sailed in quest of Monk and Deane. On June 2, a day of light and shifting airs, the fleets, each considerably upwards of 100 sail, met off the Gabbard shoal, not far from Harwich. As it was difficult to manœuvre, the battle was even more confused than usual. Scarcely had it begun, when Deane was struck dead by a cannon ball. In spite of Tromp's superior skill, the Dutch, after a hard fight, had somewhat the worst. All through the night the fleets drifted at no great distance from each other, and next morning they were not far off Dunkirk. Although he had run short of powder, Tromp renewed the battle, but Blake's appearance with thirteen ships ensured the English victory. Nine Dutch ships had been sunk and eleven taken.

Tromp and De Ruyter loudly declared that a large proportion of their ships were so inferior to the English as to be worse than useless. A blockade of the coast announced that Holland had lost the dominion of the sea. Amid the general impoverishment and humiliation the Orange party lifted its head once more. John de Witt, pensionary of the province of Holland, prevailed on the States General to send four commissioners to ascertain whether England would grant reasonable conditions. The new

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CHAP. XVII.

council of state required an acknowledgment that Tromp had been at fault in that encounter with Blake which began the war, and insisted on the absurd project of political union. In July the negotiation came to a pause. Meantime Tromp's fleet had been reinforced, and he sailed to free his lieutenant, De With, who was blockaded in the Texel by the English under Monk. He effected his purpose, and was joined by De With on July 30. The next day was fought the last and most tremendous battle of the war. Tromp was mortally wounded at the very outset. His crews fought with obstinate valour, but were at length utterly defeated. The Dutch lost twenty-six ships and upwards of 6,000 men killed, drowned, wounded, or taken. The English confessed a loss of two ships sunk, and twelve captains and 1,000 men killed or wounded. So many of their vessels had been shattered that they raised the blockade and sailed homewards to make good their injuries.

The little parliament and the council of state which it elected were as resolute as their predecessors to exact the utmost gains of victory. Cromwell still desired peace and even an alliance between the two republics, but the terms which he propounded were fantastic and impossible. The Dutch envoys would hear of nothing more than a defensive alliance. Irritated, perhaps, by this rebuff, Cromwell joined with his colleagues in making such demands as the Dutch, even in their fallen condition, could not accept. They required among other things that the States General should undertake to exclude the young Prince of Orange from all office, civil or military, and not to send more than a certain number of ships through the British seas without leave asked and obtained. At that very time in England the expenditure far outstripped the revenue, the sailors were left unpaid, mutinies broke out and some of the mutineers even threatened Whitehall. The Dutch took heart to continue the war, and began to build ships of size and power sufficient to cope with the English.

While the English were absorbed in the Dutch war, Mazarin was restoring in France his own authority and that of the crown. The citizens of Bordeaux, who had vainly sought help from England, were forced to surrender on July 20. Condé became an exile and a deserter in the Spanish service. When Sexby returned from France in September, Cromwell offered

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CHAP XVII.

to assist the Huguenots with a fleet and 6,000 soldiers if Spain would bear the expense. He sent Joachim Hane, a German engineer, to report on the fortifications of Havre, Rochelle, and Bordeaux. In the same month he proposed to the Dutch a league directed against Spain. An earnest but unreasoning wish to help the protestant cause in other countries betrayed Cromwell more than once into fanciful and contradictory schemes alien to his ordinary sound judgment.

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CHAPTER XVIII.

THE FIRST PERIOD OF THE PROTECTORATE.

CHAP. XVIII.

OLIVER CROMWELL, who by the instrument of government became virtual sovereign of the three kingdoms, was born at Huntingdon on April 25, 1599. "I was by birth a gentleman," he said, when protector, "living neither in any considerable height, nor yet in obscurity."[1] But these words scarcely express the consequence of his family. His great-grandfather, Sir Richard Cromwell, was a nephew of the celebrated minister of Henry VIII. His grandfather, Sir Henry Cromwell of Hinchingbrooke, gained by his splendour and hospitality the appellation of "the golden knight". Oliver's father Robert, it is true, was only a younger son. Oliver was educated at Huntingdon Free School and at Sidney Sussex College, Cambridge, and afterwards became a member of Lincoln's Inn, where he may have acquired such knowledge of the law as would be useful to a country gentleman. When he was twenty-one he married Elizabeth Bourchier, a merchant's daughter, and settled at Huntingdon to farm his own land. He was returned to parliament by the borough of Huntingdon in 1628, and in the following year took part in the attack on Bishop Neile. During the eleven years' suspension of parliament he led a quiet rural life. He sold his estate near Huntingdon and removed to St. Ives. There as at Huntingdon he stood forward to defend the rights of the poor commoners, when assailed by persons of influence. In order to maintain his increasing family he rented land and followed the business of a grazier.

By nature earnest and having full leisure for thought Cromwell was oppressed with religious melancholy, until at length he

[1] See Noble, *Protectoral House of Cromwell*, and an article, "Oliver Cromwell's Kinsfolk," by Stanley J. Weyman, *English Historical Review*, vi., 48 (1891).

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found assurance of salvation. The condition of Church and State was as grievous to him as to other east-country puritans, and it is possible that he may have thought of emigrating to America, although there is no truth in the legend that he had taken his passage in a ship which was stayed by order of the crown. He was returned by the borough of Cambridge to both the parliaments called in 1640. In the long parliament, it has been said, Cromwell could reckon nearly a score of members connected with him by blood or marriage, among them Hampden, St. John, and Edmund Waller. He moved the second reading of the triennial bill and was one of the most active enemies of the bishops. Yet had the contest been only one of words, Cromwell's part in it would long ere now have been forgotten. In the civil war his real capacity was first made known. The somewhat uncouth squire, who until the age of forty-three had divided his serious thoughts between prayer meetings and cattle markets, stood forth as a leader and organiser, the most brilliant yet the most methodic of cavalry captains, an adroit tactician, a daring strategist, and withal a statesman equal to guiding and containing a revolution. He broke in pieces the parties, Churches, and peoples that withstood him. He became master of England where his enemies far outnumbered his friends, and of Ireland and Scotland where almost all men hated him with the fulness of national and religious hatred. He had only one task left, but that the noblest and most difficult; the task, as he said himself, of healing and settling: of healing the rancour envenomed by so many years of strife; of settling a new order, political and ecclesiastical, which should rest, not upon military force, but upon the willing acceptance of all good citizens. CHAP. XVIII.

Until the new parliament should meet in September, 1654, the protector and his council enjoyed the plenitude of sovereign power. However unwilling to use severity, they could not overlook the furious denunciations of the Fifth Monarchists. Some of the most seditious preachers, Feake, Powell, and Simpson, were arrested, and Harrison, the military chief of the party, was deprived of his commission. At the same time the protector sought to reassure all who would quietly submit to the new government. He repealed the ordinance under which men had to swear that they would be faithful to a com-

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CHAP. XVIII.

monwealth without king or house of lords. In England there was no further disturbance. In Scotland the officers and soldiers accepted without demur each revolution at Westminster. In Ireland all the commissioners of the commonwealth save Ludlow submitted to the new government. As a consistent republican, Ludlow declined to act in the civil administration under a protector, although he agreed to perform his military duties until he should be replaced. Secure from the danger of immediate attack, Cromwell could undertake that work of legislation in which the long parliament had failed through sloth and the little parliament through impatience. In the period of his sole government he issued upwards of eighty ordinances, which cover a wide range of topics and justify him against the reproach of having cared little for the reform of institutions.[1]

No other reform was so generally desired by the puritans or so urgent in Cromwell's opinion as ecclesiastical reform. He wished, however, to conciliate vested interests and accepted beliefs. He would not interfere with the rights of patrons or abolish tithes until some other maintenance for the clergy could be devised. Nor would he impose any form of ordination or doctrinal test on ministers. By an ordinance for the approbation of public preachers issued on March 20, 1654, he appointed thirty-eight commissioners, known as triers, partly ministers, partly laymen, to try the fitness of persons presented to livings. The aspirant had to produce a certificate from three persons of known integrity, one of whom was to be a minister, testifying to his holy and good conversation, whereupon the commissioners were to admit him by an instrument in writing under seal. In practice the ministers who certified and the triers who admitted would be either independents, presbyterians, or baptists, and candidates conforming to one or other of these standards of belief would have an advantage. By another ordinance of August 22 means were provided for ejecting incompetent or scandalous ministers and schoolmasters. In every county of England and Wales a body of commissioners known as ejectors was to hear charges and eject on proof any minister or schoolmaster of evil life or of atheistical or blasphemous

[1] See Scobell, ii., 283-368.

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opinions, as well as such as persisted in using the Prayer Book or avowed their disaffection to the government.[1] It is allowed that the triers and ejectors did their duty honestly and carefully, and that the ministers inducted under the commonwealth were with rare exceptions faithful and zealous.

Having organised the Church so as to comprehend the principal forms of puritan belief, Cromwell allowed a large measure of toleration to those who found it too strait for their conscience. If free to follow his own judgment, he would perhaps have tolerated all who held what were then thought the fundamental doctrines of Christianity and who were willing to obey the government. But he had to consider the instability of his power and the deep-rooted prejudice against religious freedom. As a too liberal policy might have embittered presbyterian opposition without conciliating Roman catholics or Anglicans, he dared not be consistent or thorough. The catholics, although no longer forced to attend the parish church, remained subject to the old penalties for following their own observances. Cromwell did not rigidly enforce the persecuting laws against them, and there is only one instance of a catholic priest suffering death in his reign. He told Mazarin that he had protected many catholics and hoped to do more, although he would not promise a legal toleration. As it was still forbidden to use the Prayer Book, Anglicans could only worship in private, but their assemblies were rarely molested save at times when the government felt itself in danger. Many clergymen who regarded government by bishops as lawful, but not essential, did doubtless conform to Cromwell's established Church. Cromwell showed much deference to Archbishop Ussher who had proposed a composite form of Church government, granted him a pension, and on his death ordered his interment in Westminster Abbey. Some believed that the protector in his closing years became more and more favourable to the ancient ecclesiastical order. Of this, however, there is little or no proof. His forbearance even towards heresy which most men deemed capital was seen in the case of John Biddle, who rejected the divinity of Christ, and whom he saved from a worse fate by an imprisonment in the Scilly Isles.

[1] Scobell, ii., 335.

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CHAP. XVIII.

Himself a mystic as well as a nonconformist, Cromwell felt for zealots who scandalised sober people. He treated the Fifth Monarchy men with extraordinary indulgence. He interfered on behalf of the primitive quakers, who were apt to behave in a way which would not be permitted even now and had much to suffer from magistrates, jailers, and the mob. Few busy men and still fewer sovereigns would have submitted so patiently to the admonitions of George Fox. "As I spake, he would several times say, it was very good and it was truth. And as I was turning to go away, he catches me by the hand and with tears in his eyes, said: 'Come again to my house; for if thou and I were but an hour of the day together, we should be nearer one to the other;' adding that he wished me no more ill than he did to his own soul."[1] That Cromwell, whose mind was steeped in the Old Testament, should have felt kindly towards the Jews is natural; but his part in encouraging them to settle here has been over-stated. Since their expulsion by Edward I, the Jews had scarcely revisited England. Although they were not excluded by statute, they would not have been allowed to worship according to their law. Under the commonwealth a few stole in, and a learned rabbi of Amsterdam, Manasseh Ben Israel, petitioned Cromwell that his brethren might have the free exercise of their religion. Cromwell submitted the petition to a conference in which ministers and citizens were joined with councillors of state, and he appears to have addressed it in favour of the Jews. But most of his hearers were adverse to any indulgence, some on religious and some on economic grounds. As Cromwell would not contend further with public opinion, Manasseh Ben Israel's petition was fruitless. A toleration in fact, so long as they screened their worship from general notice, the Jews did enjoy under Cromwell; and this, together with the advantages of London as a centre of commerce, was enough to attract Jewish immigrants; so that the Jewish community in England may be said to date from the commonwealth.[2]

All that Cromwell did for religious freedom may seem little

[1] Fox, *Journal*, pp. 137-38.

[2] Compare the account of this subject in Gardiner, *History of the Commonwealth*, chap. xli., with Henriques, *The Return of the Jews to England*, London, 1905.

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CHAP. XVIII.

to the men of our time, and seemed insufficient to a few of his contemporaries such as Vane and Milton. But when we consider the state of opinion in England and in Europe during the seventeenth century and the extraordinary efforts needed in a later age to remove the disabilities of nonconformists, whether protestant or catholic, we may think that Cromwell went as far as was possible without jeoparding his own authority and even the cause of toleration.

The protector shared the puritan belief respecting the influence of laws on manners, and several of his ordinances were designed for the moral reformation of the people. Thus he forbade cockfighting, not on the ground of its cruelty, but because it was accompanied with gaming, drinking, swearing, quarrelling, and other dissolute practices. A more serious interest attaches to his efforts for the improvement of the law. He would not, like the little parliament, suppress the court of chancery, but he promulgated an elaborate ordinance to correct its abuses. A modern expert acknowledges that it effected many real improvements, but adds that it did harm by reducing equity to a rigid and inflexible system.[1] Another ordinance was designed for the relief of poor debtors. Cromwell knew that able and upright judges are as necessary to the public welfare as good laws, and valued himself on nothing more than his care and impartiality in raising the fittest men to the bench. The first judge appointed by him was Matthew Hale, whose worth and learning were acknowledged by all parties, and who became chief justice of the common pleas after the restoration. Cromwell has received perhaps more than his meed of praise for this choice on the ground that Hale was a royalist, but it would appear that Hale had throughout been a steady although temperate supporter of the parliament.

On his accession to power Cromwell had to cope with a Scottish revolt. Although the Scots had been outwardly subdued, their attachment to the house of Stuart and their passion for independence were as strong as ever. The malcontents found their opportunity in the Dutch war, which shook the English control of the sea, and raised the hope of continental succour. Within a year after the defeat of Worcester the royalist nobles and chiefs requested a leader from Charles, who

[1] Inderwick, *The Interregnum*.

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CHAP. XVIII.

named General Middleton. Until he arrived, the Earl of Glencairn was to command the insurgents. Middleton was detained in Holland, partly by sickness, partly by the tedious labour of extracting petty contributions from princes who professed goodwill to Charles, for the Dutch showed no disposition to hazard anything in an attempt on Scotland. The chiefs and nobles who gathered round Glencairn in the summer of 1653 resolved not to attempt any serious operations before the arrival of Middleton, who was expected to bring a large supply of arms and ammunition.

In February, 1654, Middleton landed at Tarbatness in Rossshire, and by April he had collected some 5,000 men. But the establishment of the protectorate and the close of the Dutch war changed the aspect of affairs in Scotland. In April, Monk returned as commander-in-chief, with orders to make known the intentions of the new government respecting Scottish affairs. At Edinburgh he proclaimed the protectorate, a parliamentary union, and freedom of trade with England. Feudal tenures and feudal jurisdictions were to cease, and popular courts were to be established in every district to determine petty causes. Cromwell thus skilfully developed the policy of the long parliament in seeking to conciliate the common people at the expense of their feudal superiors. An act of grace pardoned all offences committed before May 1, 1652, excepting only twenty-four persons who were to suffer confiscation, and seventy-three who were to be fined with different degrees of severity. Then Monk by a skilful disposition of his forces enclosed the highlands on the east and south, from the Moray Firth to Stirling and from Stirling to Dumbarton. He marched into the enemy's country, wasting and burning everywhere, as the only means of reducing the elusive highlanders to submission. On July 19 Middleton was forced to an action with Monk's lieutenant, Colonel Morgan, at Dalnaspidal near the watershed between the Garry and the Spey, and routed so thoroughly that he could never rally more than a few hundred men. He took refuge in Caithness, and at length escaped abroad, while Monk continued to harry the rebellious districts until the leaders came in and made their submission, which they were allowed to do on easy terms. By May, 1655, the last embers of the rebellion were extinguished. The absence of Charles, the quarrels among the royalists, the

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indiscipline of their forces, and the lack of help from abroad, ensured its ignominous failure.[1]

A system of fortresses to overawe the country had been begun by the parliament and was finished by the protector. The chief strongholds were at Inverness and Inverlochy in the highlands; at Perth, Leith, and Ayr in the lowlands; and there were upwards of twenty smaller forts and garrisons. A highly effective police was organised. Powerful and suspected persons had to give bonds for the good behaviour of themselves and their households; those who wished to carry fire-arms had to take out licences; those who wished to travel had to furnish themselves with passes. By these means such order was established as Scotland had never known under the most vigorous of its native kings. Nor was the protector indifferent to the welfare of the people. A council for Scotland was established to relieve Monk from the cares of civil government, and justices of the peace were appointed on the English model. The Kirk preserved its liberty, save that ministers might not pray publicly for Charles Stuart and that the general assembly was forbidden. The army of occupation was reduced by degrees and the military expenses were lightened. But the ruin of so many great families, the devastation attendant on Glencairn's rising, and the decay of foreign trade impoverished the kingdom, although some parts profited by the freedom of commercial intercourse with England. The monthly assessments became less productive and an excise was imposed to make good the deficiency.[2] The parliamentary union was little more than a form since the Scottish members represented only that fraction of the people which favoured the commonwealth. The rule of the protector in Scotland was honest and enlightened, but it was a foreign despotism; and although the Scots made no further attempt to shake it off, they were at heart unreconciled and rebellious.

In Ireland the establishment of the protectorate brought no relief to the conquered Irish. Ever since the reign of Mary the planting of English colonies had been the recognised means of securing the English dominion. The parliament in 1642 had passed an act confiscating the estates of the rebels and

[1] On Glencairn's rebellion see Firth, *Scotland and the Commonwealth*, and the authorities therein cited.

[2] Firth, *Scotland and the Commonwealth*.

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CHAP. XVIII.

granting 2,500,000 acres to the adventurers, as they were termed, who advanced money for the Irish war; and the time had come to fulfil that pledge. A large part of the army in Ireland was to be disbanded, and the arrears of pay could most easily be satisfied by grants of land to the soldiers. An immense plantation was therefore inevitable. The act of settlement passed in August, 1652, put practically all the land hitherto held by Irish catholics at the disposal of the state.[1] It divided the Irish into eight classes. In the first five classes were comprised all who had promoted the rebellion or taken part in it during the first year, all catholic priests, about 100 persons of sufficient consequence to be mentioned by name, all who had been concerned in killing any Englishman otherwise than as soldiers in regular warfare, and all persons in arms who should not surrender within twenty-eight days after the act had been published. All these were excluded from mercy for life and estate. In the remaining three classes were comprised all other Irish catholics who had not manifested constant good affection to the commonwealth. These were to suffer forfeiture, but, according to the degree of their guilt, they were to receive the equivalent of one-third or two-thirds of their estates in such parts of Ireland as the parliament might determine. It has been computed that under this act 100,000 persons would have been liable to execution. Such a slaughter was certainly not intended. A high court of justice established to try those who had been concerned in the massacres sat for two years and condemned to death some 200 or 300 persons. The penalty of confiscation, on the other hand, was rigorously enforced.

The device of transplanting the whole catholic population into one part of Ireland was adopted somewhat later. Warned by the fate which had so often overtaken previous colonists, the adventurers were unwilling to accept lands where the old proprietors still dwelt. The government saw that the plantations would serve the purpose of garrisons far better if the English settlers were not intermingled with the Irish natives. After Cromwell had expelled the long parliament, he adopted the principle of transplantation on a large scale. In July, 1653, it was announced that all who had obtained mercy under the act of settlement must emigrate to Connaught and Clare by

[1] Scobell, ii., 197.

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May 1, 1654, under pain of death.[1] In that part of Ireland they were to receive the equivalents promised by the act. The terms of this order are, however, ambiguous, and it has been construed as referring only to landowners with their families and dependants. It was embodied in an act of the little parliament. In October the commissioners for the government of Ireland issued a declaration which required all persons who had been excluded from pardon by the act of settlement, but who had not been prosecuted judicially, to transplant themselves in like manner.[2] As it was impossible for such a multitude to subsist in the barren region reserved for them, the Irish felt that they might as well die at home, and opposed a passive resistance to the order of removal.

The government itself wavered between transplanting all and transplanting only proprietors and soldiers who had continued in arms until the end of the war. The protector empowered the Lord-Deputy Fleetwood and his council to dispense with the orders for transplantation in so far as they judged fit. But Fleetwood shared the abhorrence of the Irish common among the officers of the army in Ireland, and was little apt to use these powers in a merciful spirit. A new declaration published on November 30, 1654, ordered all to transplant themselves before March 1 of the following year. Many of the Irish then resigned themselves to their fate, and the work of transplantation went on somewhat faster. In March, 1655, courts-martial were established to try those who failed to remove. They often took to the hills and bogs as tories or freebooters, and a petty warfare of the most ferocious description broke out in many counties. At the same time the Roman catholics were expelled from a number of cities and towns which were destined to be the military and commercial strongholds of the colonists. Order was repeatedly given for transporting to the colonies the vagrants and beggars who swarmed in the miserable country. But the great work of moving a nation across the Shannon was not achieved.

The protector mistrusted Fleetwood, a man of small judgment and a zealous adherent of the baptists, a sect numerous

[1] Scobell, ii., 240.

[2] Gardiner, "The Transplantation to Connaught," *English Historical Review*, xiv., 710 (1899).

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CHAP. XVIII.

in the Irish army and noted for unruly spirits. In July, 1655, he sent his younger son Henry to command the Irish army as major-general under Fleetwood, and hinted to the lord deputy that he would be welcome in England. Fleetwood felt power slipping from his grasp, and quitted Ireland in September. Henry Cromwell, who succeeded to his authority even before he succeeded to his office, was of a milder nature, and saw that wholesale transplantation was impossible. Not only were most of the Irish passively determined not to go, but the new proprietors insisted on keeping them as tenants and servants. In no other way could the land be cultivated, for Englishmen would not migrate in sufficient numbers to a country far less attractive than their own.

The final result of the Cromwellian settlement was therefore the confiscation of all the lands held by the Irish catholics east of the Shannon, and the banishment of the proprietors and a large but uncertain number of other Irish catholics into the region west of that river.[1] The catholics who had possessed wealth and culture, the nobility and gentry and burgesses, were evicted and ruined. The priests were outlaws. The catholic peasantry remained for the most part on the land, but it was that they might toil for alien masters who too commonly hated and despised them. A nation which continued to exist at all could hardly be despoiled and ruined more thoroughly. The English and Scottish colonists formed the main population of certain districts, filled all the more important towns, owned nearly all the fertile land, and enjoyed all the wealth and consideration which the children of the soil had lost. They were mostly energetic and capable men, and they prospered exceedingly. Yet Cromwell's object was not achieved. The prolific Irish race replenished its numbers and absorbed its conquerors. Instead of an Ireland two-thirds British and protestant with a Celtic and catholic reserve in the west, there reappeared the old Celtic and catholic Ireland in which the

[1] The extent of the Cromwellian transplantation has been very differently stated by different historians according to their respective bias. Carlyle in his *Letters and Speeches of Oliver Cromwell* asserted that only a few landed proprietors were transplanted; Prendergast in his *Cromwellian Settlement of Ireland* wrote as if the whole population east of the Shannon had been removed. Gardiner's account, which has been followed above, is based on careful examination of the original documents, and appears more consistent with the facts of later Irish history.

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British and protestant settlers were little more than a garrison. The strife of ages was not ended but embittered. For this result some historians have blamed the statesmen of the restoration, who modified Cromwell's policy; but that policy had been modified by Cromwell himself, or rather it involved difficulties which no energy or hardness of heart could overcome.

The foreign policy of the protector was bold and aspiring, although not uniformly fitted to the circumstances of the age, for his religious zeal and patriotic ardour were not enlightened by a full knowledge of European politics. The protestant interest and the grandeur of England were his supreme objects, and in his mind they were inseparable. He would have made England the arbiter of Europe by making her the head of a confederacy of protestant states for the defence of their religion; and he would have won for England at the cost of catholic states such an empire and such a commerce as might ensure the duration of her power. He longed to renew the Elizabethan tradition, and even to surpass it; for Elizabeth had shunned great enterprises, and had rather checked than encouraged the martial energy of her subjects. Peace with the Dutch was necessary to the fulfilment of Oliver's ideal, yet he continued for some time to demand more than the Dutch could concede. The treaty of peace was not signed until April 5, 1654. The Dutch so far acknowledged the English sovereignty of the seas that they promised to strike their flag to English ships; but they were not constrained to pay a rent for their North Sea fishery. They undertook to punish the actors in the Amboyna massacre, who were probably all dead. Commissioners chosen equally by both states were to assess the damages due to citizens of either for wrongs suffered in the East Indies or elsewhere. The parties concluded a defensive alliance, and undertook not to harbour each other's enemies. Each state held to its own doctrine regarding the right of search, a difference which caused trouble in the later years of the protectorate. The Dutch made no stipulation for the repeal of the navigation act, nor the English for the exclusion of the Prince of Orange from office.[1]

The protector had long refused to include the King of

[1] Dumont, *Corps Diplomatique*, vi., 2, 74.

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CHAP. XVIII. Denmark in the treaty, but yielded to the perseverance of the Dutch, who would not desert their ally, and undertook to compensate the owners of the ships detained in the Sound, the amount being referred to another court of arbitrators. He was still bent on excluding the house of Orange from power, but thought it enough if the province of Holland, the greatest and most powerful of the seven, would undertake not to choose the prince for stadholder. He therefore had recourse to the pensionary, De Witt, and let him know that only upon this condition would the treaty be ratified. De Witt, who was a leader of the party opposed to the house of Orange, managed the affair with such adroitness that the states of Holland passed an act of exclusion. The ratification followed, and peace was proclaimed on April 26 amid general rejoicing. After heroic efforts and enormous losses the two republics might seem to have resumed their previous position, but in reality it was far otherwise. The war had shown that the Dutch were no longer supreme at sea, or invulnerable in their commerce, and it marks the first stage in the decline of Holland.

Oliver was free to pursue his scheme of a protestant league. In his youth he had anxiously followed the course of the thirty years' war, had blamed the indifference of James and Charles, had exulted in the victories of the great Gustavus, and had lamented his untimely fall. Swayed by these memories he failed to see that the treaties of Westphalia had opened a new period in which secular interests more and more determined the friendship or enmity of nations. He sent an agent, John Dury, to sound the protestant governments on the project of a league, but none would go beyond civil verbiage. An embassy to Sweden had been resolved by the parliament, and Cromwell had obtained the appointment of Whitelocke. Whitelocke's instructions from the council were to negotiate a treaty of commerce, and secure the opening of the Sound to English ships irrespective of the friendship or enmity of Danes or Dutch. Cromwell hoped much more from Queen Christina, daughter of Gustavus, and told Whitelocke to bring back a protestant alliance. Christina, who, weary of her subjects and of the Lutheran creed, had already resolved to abdicate and to join the Church of Rome, was not likely to encourage such an overture, but she made Whitelocke welcome, and gave him a

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CHAP. XVIII.

commercial treaty.[1] In September a treaty between Denmark and England provided that English ships passing the Sound should not pay dues higher than those levied upon other nations.

The Portuguese, who had to make good their independence against Spain, were eager to conciliate the English. While the long parliament was yet sitting King John sent to London as ambassador the Count of Peneguiao. He negotiated the preliminaries of a treaty by which Englishmen might trade in Portugal and in all Portuguese possessions, with a guarantee that the customs duties should never be raised against them, and might have their own worship in their ships and houses unmolested by the inquisition. He also undertook to pay £50,000 compensation for the harm done by Rupert to English merchants, but the Portuguese treasury could not afford this sum, so that the treaty remained in suspense. At length it happened that the ambassador's brother, Dom Pantaleon Sa, had a brawl in the New Exchange with a Colonel Gerard. On the following day he came back with an armed train to take vengeance, and one of his followers shot a young man named Greenway, who had no concern in the quarrel. Dom Pantaleon and several of his attendants were taken from the ambassador's house, thrown into prison, tried for murder, and condemned to death. They pleaded the privilege of an ambassador's retinue, and all the ambassadors then in London interceded for them. As the civilians whom the protector consulted held that no privilege existed in such a case, Dom Pantaleon was beheaded on Tower Hill. One of his servants, an Englishman, was hanged, but the rest were reprieved.[2] The ambassador, in his eagerness to quit England, signed the treaty on the day of the execution, July 10, 1654. Portugal was still unable to pay £50,000, but it was agreed that a body of arbitrators, half English and half Portuguese, should assess the compensation due for English losses, and that a half of the duties levied on English merchants in Portugal should be applied in payment.

Cromwell had yet to decide the question so long agitated under the parliament whether the French or the Spaniards were to be preferred as friends. Mazarin, who could ill afford to quarrel with England, sent the Baron de Baas on a secret

[1] Whitelocke, *Swedish Embassy*.
[2] *State Trials*, v., 462; Thurloe, ii., 428-29.

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CHAP. XVIII.

mission to assure Cromwell that the Stuarts should have no encouragement. Cromwell negotiated with the baron until information of new royalist plots revived all his anger against Louis and he turned to Cardenas, who offered to treat for an alliance. Mazarin made fresh advances, acknowledged the protector and went on to bid in money against Spain for the English alliance. The French and the English, notwithstanding, continued to prey upon each other's commerce. Baas was detected in an intrigue to raise a mutiny among the soldiers, if the protector should declare war against France, and was sent out of the country. In July a body of New England colonists under Major Sedgwick invaded the French colony of Acadia and occupied the French forts. On the other hand, the Spanish government would not purchase Oliver's alliance by giving him immediate possession of Dunkirk. Eventually he decided to seek a good understanding with France, but to hold aloof from the war in Europe. Then, feeling free to enforce his demands on Spain, he required from Cardenas that Englishmen in the Spanish dominions should be allowed to worship after their own fashion in their houses, and that Englishmen trading in the West Indies should not be molested. Cardenas answered that it was as if the protector had asked for his master's two eyes. Cromwell resolved to use force. He thought that he could make war on Spain in the West Indies, yet remain at peace with Spain in Europe, and he gave orders to equip an armament of which the destination was for the time concealed.

In his transactions with France and Spain Cromwell does not appear to advantage. He showed little wisdom in his schemes for helping the Huguenots against the crown and for acquiring a fortress on the continent. His course was irresolute and shifty. Although he had real grievances against both states, he might be held to condone them by offering his alliance, now to the one, now to the other. It has been said by way of excuse that under the instrument the protector was obliged to act in foreign affairs with the council, where a party led by Lambert desired war with France while Cromwell himself desired war with Spain, and that their conflict issued in this incoherent policy; but the excuse is far from a full vindication. To suppose, when he broke with Spain, that he

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CHAP. XVIII.

could narrow the field of hostilities at pleasure was a grave error. It is true that Englishmen and Spaniards in the new world had virtually been at war since the reign of Elizabeth, and that the Spanish government in Europe was barely able to continue the war with France alone. But no state that retained any sense of honour or instinct of self-preservation could overlook a formal attack upon its territory such as Cromwell meditated against the Spanish West Indies. Worst of all, Cromwell, while preparing this attack, remained on terms of ostensible friendship with the sovereign whom he was preparing to despoil. Such conduct would be severely blamed in rulers who, like Frederick or Napoleon, acknowledged no law save reason of state; it is even more blameworthy in a ruler who professed, nor wholly in vain, to regulate his actions by his conscience.

The manifest divisions between the upholders of the commonwealth, the expulsion of the long parliament, the failure of the nominated parliament, and the signs of a reaction towards monarchy gave new heart to the royalists. A plot to murder Cromwell was formed by young Colonel Gerard, well known for the fatal quarrel with Dom Pantaleon Sa. Even the most respectable royalists held that all who had taken part in the death of King Charles were beyond the pale of society and might lawfully be slain by any that would. Gerard was introduced to Charles II. by a certain Colonel Fitz-James, but Charles rejected his scheme as futile unless it were followed by an insurrection. Some of the courtiers, however, encouraged Gerard to persevere, and a proclamation offering £500, a colonelcy, and knighthood to any one who should kill a certain mechanic fellow, Oliver Cromwell, and professing to come from Charles, has been supposed the work of the same party. Colonel Gerard returned to England and began enlisting men with whom to overpower the troops quartered in London after he should have despatched the protector. While time was thus lost, the council received information of the plot. On May 21 Gerard and several of his accomplices were arrested, and in the following days some 500 persons were thrown into prison. Then the high court of justice was revived, and Gerard and Peter Vowell, a schoolmaster who had been active in recruiting for him, were condemned to death.[1] On the same day

[1] *State Trials*, v., 518.

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CHAP. XVIII.

that Dom Pantaleon suffered, Gerard was beheaded and Vowell was hanged, both asserting their innocence to the last. A few others were sent to servitude in Barbados. An innocent victim was a Roman catholic priest named Southworth, the last in English history to suffer death merely for his profession.[1]

At the elections to the first parliament of the protectorate the presbyterians gained many seats. With them were elected a number of those stern republicans who looked on the protectorate as little better than kingship. A few royalists also succeeded in slipping in. The parliament met on Sunday, September 3, and on the following day was summoned to the painted chamber to hear a speech from the protector. "Healing and settling" he defined to be the end of their meeting. He spoke not as one that assumed dominion over them, but as one that resolved to be a fellow-servant with them to the interest of the people, and he invited them to begin with considering the instrument of government.[2] The parliament elected Lenthall as speaker, and then the republicans opened a brisk attack on the new constitution. It was resolved to consider the instrument in a committee of the whole house. Objection was taken to the clause vesting supreme power in a single person and a parliament. The presbyterians showed their dislike of religious freedom by a resolution for calling an assembly of divines chosen by the parliament itself to advise on ecclesiastical matters; the prelude to setting up a standard of orthodoxy and persecuting such as would not conform.

Cromwell would not let the discussion go further. On the 11th the doors of the house were locked, and a guard was set. The members were commanded to meet the protector in the painted chamber. There he expostulated with them long and earnestly. He had not called himself to that place. The instrument was framed without his privity and was pressed on him as the only means of avoiding bloodshed and confusion. It was accepted by him with the approbation, express or implied, of many considerable persons, of the judges, of the army, of London, of various counties and cities. The members before

[1] Sir Reginald Palgrave in his *Oliver Cromwell the Protector*, ch. ii., argues that the whole plot was a contrivance of Cromwell's; but he has not satisfied historians generally.

[2] Carlyle, *Letters and Speeches of Oliver Cromwell*, Speech ii.

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CHAP. XVIII.

him had come thither in virtue of his writs to the sheriffs obeyed by the people, and the electors had signed indentures to the effect that the persons chosen should not have power to alter the government as settled in a single person and a parliament. In every state there must be something fundamental which could not be altered. Government by a single person and a parliament; an assurance that parliament would not perpetuate itself; freedom of conscience, and a divided control of the militia were fundamental under the instrument. "I say that the wilful throwing away of this government, such as it is, so owned by God, so approved by men, were a thing which I can sooner be willing to be rolled into my grave and buried with infamy than I can give my consent to." In conclusion Cromwell told the members that they would not be admitted to the house until they had subscribed a "recognition to be true and faithful to the lord protector and the commonwealth of England, and not propose or give consent to alter the government as it was settled in a single person and a parliament".[1]

The irreconcilable republicans, such as Bradshaw, Hazlerigg, and Scot, gave up the contest for a time and withdrew, while the bulk of the members, 300 and more, signed the recognition. The way was thus opened for a consideration of the instrument with the object of turning it into a bill, which would then be passed by parliament, so that the new constitution would derive its authority from the legislature, not from a mere council of officers. Several amendments were adopted, reducing the power of the protector and augmenting that of the parliament. Councillors were to be nominated by the protector and approved by the parliament, and this approbation must be renewed whenever a new parliament met. At the protector's death, parliament was to dispose of the forces. The house restored the county franchise to the 40s. freeholders, and excluded from the franchise profane, blasphemous, and drunken persons, vague terms which might easily be abused by political or religious rancour. It wished to reduce the army from its actual strength of 57,000 to 30,000, the lowest number fixed by the instrument. It resolved to lower the monthly assessments from £90,000 to £60,000, and to grant the means of maintaining the army and the navy only until forty days after the meeting of the next

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*. Speech iii.

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CHAP. XVIII.

parliament. In January, 1655, a committee brought up estimates which cut down the expenditure for the current year to less than half the amount contemplated by the protector and council. The house resolved soon afterwards to take the militia under its own control.[1] It claimed full sovereignty for itself, as the long parliament had done; and its sovereignty threatened to bring back the same dangers and inconveniences. For it represented only a part of the nation; it betrayed a wish to impose religious uniformity, and it could easily find some way of perpetuating its power. Thus it was at variance with the protector on points which he regarded as vital.

Events outside the house heightened his alarm and displeasure. Although much the greater part of the officers were staunch to the instrument, some were inflexible upholders of the supremacy of parliament. The seamen at Portsmouth sent up a petition to their officers that parliament would be pleased to maintain and enlarge the liberties of the people of England. In December a plot was discovered in the army. Efforts had been made to gain the soldiers in Scotland and Ireland. Such was the alarm of the government that the garrison of the Tower was doubled, and cannon were planted round Whitehall. A number of royalist gentlemen were also imprisoned. The protector resolved to dismiss the parliament at the earliest date allowed by the instrument, calculating the five months of the session as months of four weeks, the month for the payment of wages to soldiers and sailors. On January 22 he summoned the members once more to the painted chamber. Reminding them of the hopes raised by their meeting, he complained that he did not know what they had been doing. What had been the outcome of their session? "Dissettlement and division, discontent and dissatisfaction, together with real dangers to the whole, has been more multiplied within these five months of your sitting than in some years before." He reproached them with their readiness to pinch other men's consciences, and their endeavour to grasp the whole power of the militia, concluding, "it is not for the profit of these nations, nor fit for the common and public good, for you to continue here any longer. And therefore I do declare unto you that I do dissolve this parliament."[2]

[1] *Commons' Journals*, vii., 419.

[2] Carlyle, *Letters and Speeches of Oliver Cromwell*, Speech iv.

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CHAP. XVIII.

Thus the first endeavour after healing and settling had failed. The obstinacy of the republicans in asserting the supremacy of parliament against the power of a military dictator was natural and respectable. But they ought to have remembered that their principle of the sovereignty of the people could not then be applied without sacrificing what they, as little as Oliver, would consent to forego. All the earnest upholders of the commonwealth taken together were a minority of the English nation, and a minority divided against itself. If they were to hold their ground, if they were to secure the religious freedom won in the civil war and so much political freedom as might be consistent with that at a time when the majority of Englishmen were intolerant, they could not dispense with unity of control or with the power of the sword; and if a head of the state were necessary, they could find none so well qualified by civil and military ability, so large in his views and in the main so noble as Oliver. The origin of the protectorate was not more irregular than the origin of the parliament. After a great revolution to reject a government merely because it was founded by force was pedantry. Those who abhorred the return of Charles Stuart and the bishops should have accepted the instrument as the draft of a new constitution, and trusted to time and opportunity for further progress.

Cromwell, regarding the instrument as still in force, sought to govern within the limits which it assigned. He did not profess to issue any more ordinances, as his power in that respect was to end with the meeting of his first parliament. In order to win the taxpayer, he lowered the monthly assessment to £60,000, according to the resolution of the late parliament, although he thus ensured an immense deficit. All the parties opposed to him had drawn new life from his breach with the parliament. The Fifth Monarchists reviled him as a thief, a usurper, a traitor. Harrison and other of their leaders declared in the very presence of the protector that they held it lawful to take up arms against the government, and refused any undertaking to live peaceably. As their recent action had been in keeping with their words, they were sent to prison. The levellers were more dangerous than the Fifth Monarchists, for their democratic creed led them to refer all political questions to a free parliament, which was also desired both by republicans and by

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CHAP XVIII.

royalists. Sexby, who had become the most active of levelling conspirators, was pursued, but made his escape to France. Lord Grey of Groby, son of the Earl of Stamford, but an extreme democrat, was imprisoned at Windsor until he made his submission. The royalists formed an extensive scheme for seizing a number of towns and fortresses, and appearing in arms in different counties. Charles promised to be within call and to join his followers on the first prospect of success. Cromwell, who was always well supplied with intelligence, took prompt measures. On February 12 all horses in London and Westminster were seized by his command. He issued a commission for raising and disciplining the militia of London. He forbade horse-races for six months, as affording an occasion for multitudes to assemble, and gave orders to secure the ports. Nevertheless, the Earl of Rochester and Sir Joseph Wagstaffe contrived to reach London with instructions from Charles, and March 8 was fixed as the date of a general rising.

When the time came, fear lay so heavy on the royalists that only in one or two places did a few reckless men assemble, and only in Wiltshire was a blow struck. Wagstaffe, who was to take the command in the western counties, had gone thither; and two of the local gentry, John Penruddock and Hugh Grove, planned to seize the judges of assize who were to open their commission at Salisbury on March 12. With about 180 horsemen they entered the city at dawn, took the judges and sheriff in their beds, and proclaimed King Charles. None of the citizens would join them, and they determined to march westwards in hope of making recruits. In twenty-four hours they reached Yeovil, but nowhere could they enlist a man. Desborough, who had been appointed major-general of the west, was on their track, and on every side those well affected to the commonwealth were rising in arms. The insurgents could only continue their flight towards Cornwall, in the hope that there at least succour might be found. At South Molton, in Devonshire, Captain Unton Croke, with about sixty horse, fell on the dispirited band, and took or scattered them all. Wagstaffe, who had proposed to hang the judges at Salisbury, was fortunate enough to escape. Grove and Penruddock were beheaded. Three others were hanged at Salisbury and seven at Exeter. About seventy more were transported to the West Indies a few

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months later without form of trial, a tyrannous practice first begun in the case of Scottish prisoners and then applied to political criminals. The circumstance that none would join the insurgents, while so many took arms for the protector, would imply that a great part of the nation was either reconciled to the commonwealth or at least anxious to avoid another civil war.[1]

Yet the weakness of the government was seen in the resistance of the lawyers. Thorpe and Newdigate, the judges commissioned to try the royalists taken in the north of England, denied the validity of the ordinance of treason under which they were to act, and therefore by implication denied the validity of the instrument under which it had been promulgated. They were dismissed, but their successors took care to regard the accused as guilty only of riot or misdemeanour. Cony, a London merchant who had refused to pay the customs duty on silk and had been fined by a committee of the council, refused to pay the fine also and was sent to prison. When he applied for a writ of *habeas corpus*, his counsel, Maynard, Twysden, and Windham, declared the ordinances under which he had been punished to have no validity and Chief Justice Rolle listened with favour. The barristers were summoned before the council and imprisoned until they made their submission, while Rolle was allowed to resign. Thus the title of the government remained doubtful and its practice arbitrary. Many wished Cromwell to assume the crown as the best means towards a lasting settlement, and in the summer of 1655 it was widely supposed that he would do so. Cromwell, however, preferred to govern under the provisions of the instrument. Fresh information of plots led him to imprison great numbers of suspected persons and to expel from London all who had fought for the royal cause. But he had come to the conclusion that more comprehensive measures were necessary to secure his authority.

In order to lessen the deficit a committee of officers had advised a reduction in the pay of the soldiers and the formation of a new militia, so that the strength of the regular army might be lowered. The new militia was organised in the course of the summer. It consisted of 6,000 horse and a small number

[1] See Thurloe, iii., 237, 248; *State Trials*, v., 767.

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CHAP. XVIII.

of foot. England was divided into ten districts and a major-general was placed over the militia in each. But the instructions issued to the major-generals in the autumn gave them powers which went far beyond mere military command. They were to combine with the maintenance of order the control of the local authorities and the enforcement of the puritan code of morals. They were to suppress revolutionary movements, secure highwaymen, put down horse-races and cock-fights, expel vagrants, close unnecessary alehouses, cause drunkenness and profaneness to be duly punished, and report to the council all justices who were slothful in executing their office. They were to enforce what we may term a penal code directed against the royalists. Royalists who had taken part in any plot or rebellion against the protector were to be banished and their estates were to be sequestrated. Those who by word or act adhered to Charles Stuart were to be banished or imprisoned, but not to suffer in their estates. Those who had fought against the parliament or suffered sequestration in the past were to pay 10 per cent. of their income from land, and if that fell below £100 a year, a proportion of their personal property. Royalists without estate who could give no account of themselves were to be transported into foreign parts, probably sent to the colonies. No royalist was to keep arms in his house or to entertain any of the ejected clergy as a chaplain or tutor. None of the ejected clergy was to exercise his priestly function or to keep a school. No delinquent might be elected on any municipal corporation.[1]

The powers thus conferred on the major-generals were not only unknown to the law, but so comprehensive that if used to the utmost they would have put the whole nation at the discretion of a few military viceroys. The major-generals received their commission in October and continued to act for somewhat more than a year. Among them were several of the most distinguished soldiers of the commonwealth, Lambert, Fleetwood, Desborough, Whalley. Each major-general was assisted by a body of commissioners chosen by the government in the different counties to give him the benefit of their local knowledge and influence. Not many royalists suffered the extreme pen-

[1] *State Papers, Domestic*, c. and ci.; see also D. W. Rannie, "Cromwell's Major-Generals," *English Historical Review*, x., 471 (1895).

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alty of banishment or imprisonment together with sequestration of their estates. A large number indeed were released at the very time when the major-generals entered on their office. But the so-called "decimation," the levying of the tax of 10 per cent., was general and stringent, and none ventured to resist. The royalists were everywhere disarmed and forced to give bonds for good behaviour. The instructions aimed at the Anglican clergy seem to have remained a dead letter. But the business of moral reformation was carried with a high hand. Alehouses were closed by the hundred. Beggars, idlers, and debauched persons were arrested in such numbers that some of the major-generals were at a loss where to imprison them and called for wholesale transportation. In London bear-baiting and cock-fighting, which had long been forbidden, were at length suppressed. Thus abruptly and harshly to override the liberty of the subject and to put down the pleasures of the people might seem more apt to breed disaffection than to reform manners, and was certainly unwise in a new and unpopular government.

The protector's difficulties at home were not relieved by a glorious issue of that expedition to the West Indies which had been so long in preparation. Its scope was large and indefinite, including an attack on the mainland as well as the islands, and, above all, the seizure of the isthmus of Panama, so as to intercept the Spanish gold on the road to embarkation. Its management was entrusted to a commission of five, in which Admiral Penn, who was to command the fleet, and General Venables, who was to command the troops, had only equal voices with their colleagues. Oliver decided that the fleet should act a subordinate part, and gave his fullest instructions to Venables, thereby awakening Penn's jealousy. The military force, consisting of drafts from a number of regiments, eked out with pressed men, was only 2,500 strong. The armament put to sea at Christmas, 1654, and reached Barbados on January 29. There and at other islands recruits joined in such numbers that Venables could muster 9,000 men. But the colonial volunteers, like the men pressed in England, had neither skill nor discipline nor sense of martial honour, and the army as a whole was defective in officers, in organisation, and in *esprit de corps*.

An attack upon the city of San Domingo in Hispaniola

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CHAP. XVIII.

failed shamefully. Sickness broke out, Venables himself was disabled, the men were dying by scores, and the rainy season was at hand. As Jamaica was reported to be almost defenceless, the commissioners decided to sail thither. On May 11 the fleet entered the bay of Caguaya, afterwards known as Kingston harbour. Its guns soon silenced the Spanish forts; the troops were landed, and Santiago de la Vega, now Spanish Town, a few miles inland, was taken without difficulty. The Spaniards, who could barely muster 500 men able to bear arms, made a show of capitulating, but used the time to take refuge in the interior. Supplies were still so scanty that it was resolved to send home the larger men-of-war. Penn, who had quarrelled with Venables and was weary of his task, returned also, and Venables followed his example. They found the protector sorely displeased, for the extent and fertility of Jamaica were imperfectly known. Penn and Venables were called before the council and sent to the Tower, but soon released. Meanly as Cromwell prized Jamaica, he was resolved that it should not be lost. The garrison had little to fear from the Spaniards, who made no effort to regain the island. But the men, overcome by the heat, could not work, wasted their stores of food, and neglected the simplest precautions against disease. As colonists were not likely to be found in England, they were sought in Scotland, but to no purpose. An order of the council for sending out 1,000 boys and as many girls from Ireland was never executed. The New Englanders were vainly solicited to occupy a country more fertile than their own. At last some hundreds of poor families from the island of Nevis were induced to emigrate to Jamaica, where they formed the first civil population.[1]

The protector destined another fleet under Blake to act against the French in the Mediterranean, and to protect commerce from the Barbary corsairs. He wrote to King Philip requesting that Blake might be received as the admiral of a friendly power, and the request was fully granted. Blake sailed in October and his arrival at Naples in December was highly advantageous to Spain by causing the Duke of Guise to abandon a naval expedition which he had planned against that city. Blake then went for provisions to Leghorn where he was made

[1] See Venables, *Narrative*, ed. Firth; Thurloe, v., 66, 374.

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CHAP. XVIII.

welcome by the Tuscan authorities. From Leghorn he sailed for Tunis. The Moors had made many Englishmen captive, and when Blake would have treated for the release of an English crew, the Dey refused his overtures. The strength of Tunis defied attack, but a few miles to the west, in the harbour of Porto Farina, nine Moorish men-of-war lay under the shelter of a fort and batteries. Before Blake could do more than reconnoitre, the necessity of getting provisions and water obliged him to leave the African coast for some weeks. On his return he found the Dey still inflexible. On April 4 he sailed into Porto Farina to deliver his attack. When he had mastered the fire of the fort and the batteries, he sent his boats to burn the ships. The panic-stricken crews fled, the whole squadron was destroyed with petty loss to the English, and Blake withdrew his fleet almost uninjured. This brilliant exploit first showed what ships could do against fortifications and spread the fame of the English throughout the Mediterranean, but it did not quell the ruler of Tunis.[1] The Dey of Algiers, whom Blake next visited, renewed a treaty of the year 1646 and allowed him to ransom a large number of his countrymen.

At this time the King of Spain made a last effort to maintain friendship with England, and sent the Marquis of Lede as ambassador extraordinary to the protector. The negotiation failed on the two cardinal points of the inquisition and the West Indian trade, and soon afterwards the English attack on Hispaniola became known in Europe. Hitherto Blake's operations had been useful to Spain, and he had supplied his wants from the Spanish islands of Sicily and Sardinia. But in June, when at anchor off Cadiz, he received secret orders to intercept the Plate fleet as well as any ships carrying troops or supplies from Spain to the West Indies. The Spaniards had taken alarm and had kept back the Plate fleet while preparing a squadron in Cadiz to meet it and escort it home. When the squadron put to sea, Blake followed it for some distance but would not attack it, because the relations between England and Spain were still doubtful. Long service had left his ships so foul and his crews so sickly that he was forced to return to Lisbon before the end of August. Thence he sailed for Eng-

[1] Thurloe, iii., 390.

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CHAP. XVIII.

land, arriving almost exactly a year after his departure. The Spanish government had resolved that war was inevitable, had ordered Cardenas to quit England, and had laid an embargo on English ships and goods. Thus the protector was awakened from his dream of war with Spain in the Indies and peace with Spain in Europe. English clothiers and merchants were deeply aggrieved by the interruption of trade with Spain, and even in the council some still argued in favour of peace. Cromwell was immovable and on October 26 issued a declaration of the grounds for the war, which were substantial, although they did not justify his indirect and double method of dealing.

The negotiation with France had been quickened by the approach of war with Spain, but it was for a while imperilled by a remarkable incident. The Duke of Savoy, Charles Emmanuel II., was a minor, and since his mother Christina, the regent, was a daughter of Henry IV., his state might be regarded as a dependent ally of France. In his territory certain valleys of the Cottian Alps had been inhabited time out of mind by the Vaudois or Waldenses, disciples of a medieval reformer, Peter Waldez, who in the sixteenth century adopted Calvinism. Such was their constancy and such the strength of their fastnesses that Duke Philibert Emmanuel in 1561 granted them toleration within their ancient bounds. Of late, various causes had put enmity between the Vaudois and their rulers. The regent had forced catholic missionaries upon them. They, in pursuit of a livelihood, had spread far beyond their own territory. In January, 1655, Christina commanded them to return thither within three days on pain of death and confiscation, unless they would become catholics or sell their property to catholics. Troops were sent to enforce the regent's orders, and, where they met with resistance, burnt the villages and massacred men, women, and children. French regiments quartered in the mountains came to their help and shared in their crimes. In the course of May tidings of these atrocities reached England and roused Cromwell to instant action. He remonstrated with the Duke of Savoy; he called on Louis XIV. to interpose; he wrote to the chief protestant states asking them to co-operate on behalf of the Vaudois. He appointed a day of humiliation and opened a collection for the relief of the sufferers, giving £2,000 himself. Nearly

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£40,000 were collected, a sum far larger in proportion to the means of the people than any similar subscription for the victims of a great calamity in modern times. CHAP. XVIII.

Louis, who could not afford to trifle with the protector's friendship, consented to intercede with the duke. Under the double pressure of France and England Christina at length gave way, and the duke promised to pardon the rebels. He even enlarged somewhat the limits within which the Vaudois might enjoy liberty of conscience, and gave those who were settled elsewhere a longer time to sell their property.[1] The protector, although not fully satisfied, urged the matter no further and resumed the negotiation with France. A treaty of peace and friendship was signed on October 24. The two states undertook not to assist each other's rebels. They agreed to name arbitrators who should assess the damages due to subjects of either government for losses as shipowners or merchants, and should decide whether the forts in Acadia taken by the English ought to be restored to the French. As the arbitrators were never appointed, the damages were never recovered, nor were the forts restored in the time of the commonwealth. Other articles were designed to promote commerce between England and France. By a secret article Charles Stuart, his brother James, Duke of York, and seventeen of their chief followers were excluded from France, while the persons who had negotiated on behalf of Condé and the city of Bordeaux were to be dismissed from England.

In another quarter Cromwell had hopes for himself and for the protestant cause. The victories of Gustavus had raised Sweden to the rank of a great power. The Swedish crown possessed the whole of the eastern and parts of the southern seaboard of the Baltic. Charles X. King of Sweden contemplated a war with Poland in order to seize West Prussia and the mouths of the Vistula, where he hoped to raise a large revenue by tolls on commerce. The Elector of Brandenburg, who feared Charles for a neighbour, and the Dutch republic, which feared lest the whole Baltic seaboard should pass under Swedish control, joined to thwart this design. Both the Dutch and the Swedes tried to make an alliance with England. The pro-

[1] See the authorities cited by Gardiner, *History of the Commonwealth*, ch. xlvii.

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CHAP. XVIII.

tector, imagining that the catholic powers were about to join in a general attack on protestantism, and regarding Sweden as the traditional defender of the protestant cause, suggested to Bonde, the Swedish ambassador, that Charles should attack the emperor, the chief of catholic sovereigns. Such an attack would also disable the emperor from assisting his kinsman, the King of Spain, against France and England. Cromwell was so far from understanding the aims of Charles or the aims of his enemies as to propose an alliance between England, Sweden, Holland, Denmark, and Brandenburg. Charles invaded Poland, overran the whole kingdom, forced the Elector of Brandenburg to a peace, and gained well-nigh absolute control over the Baltic. Between statesmen so completely at variance no combination was possible.

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CHAPTER XIX.

THE SECOND PERIOD OF THE PROTECTORATE.

THE war with Spain filled the last three years of the life of Cromwell. In that war almost every advantage was on the side of England. The English commonwealth was ruled by a great soldier and statesman; the Spanish empire by a weak and worn-out voluptuary. England possessed the finest navy of the age; the Spanish navy had shrunk into insignificance. The English army, although not large, was equalled in excellence by the Swedish alone. The Spanish army was still respectable; but the line of illustrious Spanish captains had ended, and only the energy and resource of Condé saved the Spaniards from being driven out of the Netherlands. Spain already had a most formidable antagonist in France, which was well situated for co-operation with England. Under these conditions Spain could neither strike with effect nor even parry the blows of the enemy, and England throughout took the offensive, usually with success.

During the winter of 1655 the protector busied himself to equip a powerful fleet. Blake, who was to command once more, had aged under long and hard service. He received a colleague in young Edward Montagu, cousin of the Earl of Manchester, Cromwell's old chief. Montagu had commanded a regiment in the civil war, but he had not yet gone to sea, and although he wanted neither courage nor capacity he owed his advancement to Cromwell's personal friendship. The admirals sailed from Torbay at the end of March, too late for their first task, the intercepting of the treasure ships, which safely entered Cadiz. They had probably been instructed to seize some defensible post on the Spanish seaboard as a base for future operations. Cadiz and Gibraltar were both considered, and

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CHAP. XIX.

were thought too strong. The English cruised off Cadiz for a time in some doubt how to damage the enemy, since the Spaniards would not come out to fight. The dwindling trade of Spain was almost wholly conducted by foreigners and in foreign ships, so that Blake and Montagu, who did not think fit to establish a blockade of the Spanish ports, made scarcely any prizes.

King John of Portugal felt a scruple of conscience about ratifying the treaty of 1654, which allowed Englishmen in his dominions to worship as they would in their own houses. Cromwell sent Philip Meadowe to insist on ratification, and ordered the admirals to support the demand. In May, therefore, Blake appeared at Lisbon, and King John, in fear lest he should seize the approaching Brazil fleet, ratified the treaty without more delay. Then Blake returned to his station off Cadiz, and the admirals spent the summer in desultory movements, hoping to intercept the next treasure fleet, which had been detained in American ports by orders from home. After long waiting in vain for a squadron from Cadiz to escort it, the Plate fleet sailed from Havana on July 14, as the Spanish government was in urgent need of money. It consisted of eight ships, and spent nearly two months on the voyage. Captain Stayner, who had been left to watch Cadiz with the frigates, sighted it on the evening of September 8, pursued it through the night, and attacked the next morning. In the action which ensued, all the Spanish ships, except three of little value, were taken, burnt, or driven ashore. The Marquis of Baydes, sometime viceroy of Peru, with his wife and daughter perished in one of the burning galleons. Out of the treasure on board the fleet more than half went to the bottom of the sea; the residue became the prize of the victors.[1] From a prisoner they learnt that the second Plate fleet lay in the harbour of Havana, and might be expected by the end of the year. In October Montagu returned to England with the prizes and the spoil. The silver was loaded on eight and thirty carts, and conveyed to the Tower amid ringing of bells and firing of cannon.

The Spanish government tried to employ against the protector whatever royalist feeling might remain in England. In July, 1654, Charles, who had long felt uncomfortable in Paris,

[1] See Firth, "Blake and the Battle of Santa Cruz," *English Historical Review*, xx., 228 (1905), and the authorities therein cited.

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CHAP. XIX.

saw that Mazarin and Cromwell were gradually drawing together, and determined to quit France of his own accord before he should be requested to do so. After a brief stay at Spa and Aix-la-Chapelle he settled at Cologne. Upon the breach between England and Spain, he opened a negotiation with the Archduke Leopold, the governor of the Netherlands, and went *incognito* to Brussels, where a treaty was concluded on April 2, 1656. Philip promised to give Charles 4,000 Spanish troops whenever Charles should have secured a port at which they might disembark. In return Charles undertook that when he became king he would help Philip to reconquer Portugal, would renounce all the West Indian possessions gained by the English since 1630, and would allow no more English colonies either in the islands or on the mainland. He also promised to suspend the penal laws against the catholics, and use his best endeavour for their repeal.[1] Charles received a pension, and was allowed to reside at Bruges. Some time afterwards the Spanish government assisted him to raise six regiments of his own, chiefly by summoning English, Irish, or Scottish subjects to quit the French service.

When the English and the French were both at war with Spain, it was natural that they should form an alliance. The harm done to English shipping by Flemish privateers quickened Cromwell's desire to secure Dunkirk, which he could not do without French assistance. But Mazarin and Louis XIV. did not wish for closer ties with England. They might reasonably hope to prevail over Spain without binding themselves to place Dunkirk in the hands of their dangerous neighbour. Mazarin, who had already given scandal to devout Frenchmen by contracting so many alliances with protestant states, was loth to contract another. Finding the French thus reserved, Cromwell sent as ambassador to Paris Sir William Lockhart, a capable and adventurous Scot, who had attached himself to the English interest. Although Philip at last bowed himself to yield those territories which Louis demanded, he required in the high temper of Spanish chivalry that the Prince of Condé who had served Spain so well should be restored to all the honours, offices and estates forfeited by his treason. Neither

[1] Abreu y Bertolano, *Colleccion de los Tratados de Paz de España*, viii., 305, cited by Gardiner.

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CHAP. XIX.

on private nor on public grounds could Mazarin submit to such a requisition. He felt the necessity of ending as soon as possible a war which had lasted twenty-one years and had exhausted France only less than Spain. He therefore yielded to the protector's importunity and undertook that, in return for an auxiliary corps, Dunkirk should be conquered and handed over to England.

The instrument required that, in case of war with any foreign state, a parliament should forthwith be summoned to give its advice. The Spanish war involved heavy expense at a time when there was already a large deficit, and the government was afraid to levy new taxes by mere arbitrary power. The major-generals were at hand to overawe the disaffected and to influence the elections. Cromwell therefore resolved to call another parliament and issued the writs in July. The result was disappointing. Those who condemned the protector's government on principle were reinforced by those who detested the austere sway of the major-generals. Vane could not offer himself for election, having been imprisoned on account of a pamphlet in which he urged that a convention should be freely chosen to settle the form of government. But among the republican leaders were Hazlerigg, Bradshaw, Scot, and Ashley Cooper, who had gone over to the opposition before the close of the last parliament. On September 17, Cromwell opened the parliament with a speech more than usually discursive. He laboured to justify the war with Spain, which had never been popular. The Spaniard, he declared, was the natural enemy of the English nation, "because of that enmity that is in him against whatsoever is of God". He went on to justify the powers bestowed on the major-generals and the "decimation" of the royalists. For the future, security and reformation were to be endeavoured; security by vigorous prosecution of the war with Spain; reformation by continuing the good work already accomplished for the Church, by care for public morals and by the amendment of the law. "The truth of it is, there are wicked and abominable laws that will be in your power to alter. To hang a man for sixpence, thirteen pence, I know not what; to hang for a trifle and to pardon murder—is in the ministration of the law through the ill-framing of it. I have known in my experience abominable murders

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acquitted. And to come and see men lose their lives for petty matters; this is a thing that God will reckon for." Doubting, hesitating men, he warned the house, were not fit for their work. He besought them not to dispute of unnecessary and unprofitable things, and reminded them significantly that he was by the voice of the people supreme magistrate.[1]

Nor did he trust to exhortation merely. Under the instrument it was the duty of the council to examine whether the persons returned to parliament had the necessary qualifications. The council took an unfair advantage of the requirement that they should be "of known integrity, fearing God, and of good conversation" to exclude all the rigid republicans, however irreproachable for morals and piety. When the members repaired to the house, they found a guard at the door, and only those who had received a certificate of approval were allowed to enter. Many of the excluded members signed a remonstrance which was read in the house and occasioned a debate. The house resolved to demand of the council why certain members had been denied admittance, but when the council alleged the provisions of the instrument, it pressed the demand no further. A hundred had been shut out and some fifty more refrained from taking their seats, so that the parliament was reduced by one-third of its full strength. Those who remained did as the government wished. They passed one bill declaring void the claim of the house of Stuart to the English throne, and another to secure the person of the protector. They voted the war with Spain to be just and necessary, and promised to support it with vigour. They hoped that the rich booty taken by Stayner would make further taxation needless; but its net value proved on inquiry to be no more than £225,000 in bullion, and cochineal to the value of £25,000; the rest having been embezzled by the captors. After long discussion the parliament voted in January, 1657, a sum of £400,000 for the Spanish war.

At this time a political reaction was spreading over England. That great multitude who were neither adherents of the house of Stuart nor republicans on principle craved for a stable government acting by known laws. They did not hate Cromwell himself; indeed they generally regarded his power as their best

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Speech v.

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CHAP. XIX.

defence against anarchy. The furious enmity of the levellers and Fifth Monarchists recommended the protector to conservative minds. But Cromwell was advancing in years; his robust frame was beginning to give way under toil and anxiety, and he might at any moment be murdered. So long as the office of protector remained elective, his death might cause new convulsions, for none of his lieutenants would be willingly accepted as master by the rest. Many, therefore, desired to make it hereditary. Others wished to go further. The protectorship was unknown to the law of England; kingship was presupposed by that law. The protector's powers were indefinite; the regal prerogative had been defined by statute and custom. Those who upheld a king *de facto* were by an act of Henry VII. secured from penal consequences; those who upheld a protector had no such defence if monarchy were restored. For these reasons many would have made Cromwell king. The officers had pressed the crown upon him after the dissolution of the little parliament. In the first parliament of the protectorate it had been moved to offer him the crown. In the same parliament it had been proposed to substitute hereditary succession for election to the protectorate.

Cromwell had discouraged both propositions, yet he had reasons for desiring a change. The instrument had been neither a successful nor a popular constitution. It derived its force from no national consent, but from the mere will and pleasure of the army. Cromwell must have desired that the legislature should supply the defects of the instrument and confirm his own position as head of the state. He showed himself more and more anxious to win over those who were eager for monarchy, an established Church, and the maintenance of public order. The understanding between Charles and Philip and the residence of Charles so near to England gave new courage to zealous royalists. They conspired afresh and, although their plans were discovered and thwarted, it was desirable to do more and extinguish their hopes. It might be supposed, therefore, that Cromwell would not as formerly discourage proposals which tended to ensure his own power and magnify his family. In October, Colonel Jephson, member for Cork and Youghal, raised the question of making the protectorship hereditary. Most of the officers opposed the change while

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CHAP. XIX.

the other friends of the government favoured it. Cromwell declared himself adverse, and recommended the house to put off the discussion. It obeyed, and was soon absorbed in a wholly alien subject, the punishment of a crazy quaker, James Naylor.[1]

James Naylor was one of those enthusiasts who collect a small band of admirers, especially women, and become intoxicated with their admiration. Either he imagined himself the Son of God or he believed that Christ dwelt within him in some eminent and peculiar way. On October 24, 1656, he made a triumphal entry into Bristol in imitation of Christ's entry into Jerusalem. He was arrested with some of his followers and sent to London for trial. The parliament appointed a committee to examine him. After it had reported, Naylor was called to the bar and examined by the speaker. Although he disclaimed any pretension to be the Messiah, his answers excited such horror that the house determined to punish him in spite of dissuasion by some of the more reasonable members. Assuming that it had all the powers formerly enjoyed by the two houses, and therefore the judicial power of the house of lords, it sentenced Naylor to be twice set in the pillory, to be whipped, to be branded, and to have his tongue bored with a hot iron, then to be sent to Bristol for a second scourging, and finally to be imprisoned in Bridewell, restrained from all society, and kept to hard labour with no relief but what he earned by that means. When the first part of the sentence had been executed, compassionate men and women began to petition for mercy, and, finding no response from the parliament, turned to Cromwell. Cromwell, although declaring his abhorrence of Naylor's fault, desired the parliament to state the grounds of their proceeding. The parliament adjourned the consideration of his letter, which they never resumed for fear of raising an insoluble question. Had the parliament only so much power as the instrument conferred, or had they all the powers ever possessed by any parliament? Was the parliament only a partner in sovereignty with the protector, or was it sole and absolute sovereign?

After this outbreak of intolerance the parliament went on

[1] See the first of Professor Firth's two articles, "Cromwell and the Crown," *English Historical Review*, xvii., 429 (1902), and the authorities therein cited.

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CHAP. XIX.

to consider the best way of maintaining the new militia. The military members of the council advised a continuance of the "decimation," and Desborough obtained leave to bring in a bill for that purpose. A strong party in the house opposed the bill, arguing that a general taxation of royalists, irrespective of their behaviour, violated the act of oblivion passed in 1651. Cromwell himself perceived that the sense of the nation condemned this tax as part of the military rule personified in the major-generals. When the bill came up for a second reading, his own son-in-law, John Claypole, moved its rejection, and his bosom friend Lord Broghill seconded the motion. The bill was accordingly lost. About the same time a new murder plot was detected. Sexby had suborned for this purpose an old soldier named Miles Sindercombe, who found accomplices in Cecil, another old soldier, and Toope, one of the protector's life-guards. They laid various plans to shoot Cromwell, but courage or opportunity always failed them, and at length Sindercombe tried to fire Whitehall in the night of January 8, 1657. Toope had betrayed him, and he was arrested before he could accomplish anything. He was tried and sentenced as a traitor, but killed himself on the eve of execution. The parliament ordered a public thanksgiving for the protector's escape, and went in a body to tender their solemn congratulations. Sindercombe's plot showed once more how precarious was a government which depended on the life of one man, and strengthened the wish to render it more secure.

When the parliament was debating how it should express its concern for the protector's danger and joy at his deliverance, John Aske, member for Somerset, and one of the leaders of the presbyterian party, moved that he should be requested to accept the government according to the ancient constitution, so as to baffle the plots of their enemies. Several of the officers resisted the motion, which was allowed to drop. But the project was revived on February 23, when Sir Christopher Packe, one of the members for the city, presented to the house a so-called address and remonstrance, drawn up by some of the chief men in that party which desired to make Cromwell king, possibly by Lord Broghill and Chief Justice Glyn. After a sharp debate, it was agreed that the paper should be read. It was the first draft of the famous document known as the Humble Petition and

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CHAP. XIX.

Advice. It provided that Cromwell should take the title of king, that there should be a second house of parliament, and that persons chosen to serve in parliament should not be excluded otherwise than by the judgment of that house to which they belonged. The second house was to consist of not less than forty nor more than seventy persons, who were to be nominated in the first instance by the protector, but no new member was to be admitted save by the consent of the house. No man was to be admitted to the council without its own consent, ratified by both houses, nor was any councillor to be removed without the consent of parliament. A yearly revenue of £1,000,000 was to be settled for the support of the army and navy, and a yearly revenue of £300,000 for the civil administration, parliament having power to grant from time to time what further supply might be necessary. The protector and parliament were to settle a confession of faith, which none might revile. Dissenters were to be tolerated if they held the doctrine of the Trinity and acknowledged the Scriptures to be the word of God; but this toleration did not extend to popery or prelacy, or to those who published horrible blasphemies or practised licentiousness or profaneness under the profession of Christ. Disturbers of public worship were to be duly punished.

The address and remonstrance narrowed the religious freedom granted by the instrument, but by so doing it soothed the prejudices of the presbyterians. It lessened in some respects the powers which Cromwell had exercised, for it made the houses arbiters of their own composition, it gave them a much larger part in the choice of councillors, and it extended their control over taxation. But it gave him the title of king with all the traditional majesty and influence annexed to the crown, and it interposed another house between him and that elective chamber which had proved so unruly. It gave his authority the sanction of law, it lessened the danger to his life by ensuring a successor, and it extended to all his supporters the protection of the statute of Henry VII. Some royalists, according to Clarendon, believed that making Cromwell king was the best expedient towards the restoration of Charles; but the wiser royalists, he adds, thought that it would destroy all hope of that restoration, because the people were more attached to monarchy than to any particular person, and would gladly ad-

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CHAP. XIX.

here to a king however unlawful.[1] From this we may perhaps infer that the address and remonstrance was not unwelcome to the public.

Lambert, supported by Fleetwood and Desborough, and most of the officers in the house, opposed the address and remonstrance, which was defended by the lawyers and the court party so-called. After another keen debate the house resolved to discuss the paper clause by clause. On February 27 Lambert and a hundred other officers had an interview with the protector to urge that he should abide by the instrument. Cromwell answered them in a singular speech. He disclaimed all previous knowledge of the address and remonstrance, and added that the kingly title was to him a mere feather in the hat. But he asserted that they had made him their drudge upon all occasions; that they had urged him to expel the long parliament, to call a convention named by themselves, to call the parliament which followed, to appoint the major-generals, and, lastly, to call the parliament then sitting. The instrument had proved faulty, and the people were tired of arbitrary rule. The proceedings of this parliament showed the need of a second house as a check or balance, since the case of Naylor might be any man's case, while there was no limit to their judicial power. This round reproof took effect, for some days afterwards a committee of officers waited on the protector and declared themselves ready to acquiesce in whatsoever he should think for the good of the nation.[2]

March was spent by the house in debating the clauses of the address and remonstrance. Notwithstanding all that the officers could do, the revival of the kingly office was carried by 123 votes to 62. Finally the draft was adopted, with some small additions, but with few alterations save that of the name, which was changed to a "humble petition and advice". On the 31st, the parliament waited on the protector in the banqueting house of Whitehall, and tendered him the fruit of its labours. Cromwell desired a short time to take counsel of God and of his own heart. Three days afterwards he declared his refusal of the kingly title. The parliament resolved that it

[1] Clarendon, xv., 32, 33; the whole passage is remarkable.

[2] See the second of Professor Firth's articles, *English Historical Review*, xviii., 52 (1903); the text of the speech is in the Additional MS., 6125, p. 285, British Museum.

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CHAP. XIX.

would continue to urge the petition and advice upon him, and presented to Cromwell its reasons for so doing. He replied in terms of hesitating refusal, but added that there were many other things in the document beside the title of king which needed elucidation. Then the house named a committee of ninety-nine to confer with the protector, and to report the particulars on which they could not satisfy him. Several conferences ensued, the protector raising difficulties in a manner which betrayed the agitation of his mind. The kingly title, he urged, had not been found necessary to effective government; it might give scandal to many loyal upholders of the commonwealth; it might seem to have been blasted by Providence. Other rulers who had accepted the crown from the parliament had some degree, at least, of hereditary right; he had none, but had undertaken the government from the necessity of keeping order. Cromwell's hesitation was such that the members of his own family and his most trusted servants did not know how he would resolve; but from the tone of his speeches many inferred that he would end by accepting the crown, and the house spent a week in amending the petition and advice, so as to meet his wishes. It also confirmed the acts of the little parliament and the protector's ordinances made in the first nine months of his government. When it asked for a positive answer, Cromwell at length fixed on May 8 as the day. After commending the petition and advice as a whole, he declared that he could not accept the title of king.[1] Deep was the disappointment of the majority, and severe was the blame bestowed on Cromwell for going thus far and then recoiling.

Cromwell had been held back by the repugnance which so many of the soldiers felt for kingship. As late as May 6 he is said to have privately told some members of the committee that he would accept the entire petition and advice. Meeting Desborough, he learnt that if he took the crown Desborough and Fleetwood and Lambert would resign, and so, they believed, would other officers of high rank. Desborough set on Colonel Pride, who resolved to petition the house against reviving kingship. The petition was signed by some thirty officers, and

[1] See Carlyle, *Letters and Speeches of Oliver Cromwell*, Speeches vii.-xiv.; Whitelocke, *Memorials*, pp. 655-57; Professor Firth's second article and the authorities cited therein.

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CHAP. XIX.

presented by Colonel Mason, for the military chiefs would take no overt part, Fleetwood even declaring that the petition ought not to be considered at a time when the house was expecting the protector's reply to its offers. Nevertheless, the petition served its purpose, since Cromwell, knowing that as yet there was no sure foundation for the commonwealth without the army, would not divide the army against itself. Several of the officers had already declared themselves willing to accept all the other clauses of the petition and advice, if the offer of the crown were omitted. After some fruitless debate the parliament acquiesced in Cromwell's refusal and substituted the title of protector for that of king. The petition and advice with this amendment was accepted by Cromwell on May 25.[1]

On June 26 his second inauguration was celebrated in Westminster Hall with the utmost pomp. In presence of a great assembly of councillors and judges, soldiers and members of parliament, Cromwell took his stand on the dais under a rich canopy. The speaker clothed him in a robe of purple lined with ermine, presented him with a richly gilt Bible, girt him with the sword, and placed in his hand a sceptre of massy gold. Then he administered the oath to maintain the rights and privileges of the people, and to govern according to law. Cromwell seated himself in the chair of state, with the ambassador of France on his right hand and the ambassador of the United Provinces on his left, the councillors and officers of the household standing about him, while the trumpets sounded and the people shouted, and the heralds proclaimed the lord protector. At the close of the ceremony he was escorted in solemn procession to Whitehall, and the parliament adjourned itself until January. Thus monarchy was returning to England in the usual order of progression; first the power, then the splendour, and last of all the name; but even the name might be judged not far distant.

At the same time that Cromwell's authority received the sanction of parliament, it was glorified by success in war. After Montagu had returned to England, Blake continued his watch of Cadiz throughout the winter, an achievement then unparalleled and only possible because he had access to the friendly port of Lisbon. On February 18 he heard from an English

[1] Scobell, ii., 378.

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CHAP. XIX.

skipper that the Plate fleet had been seen steering for the Canaries. Blake resolved to go in quest of it with his whole force, but he was obliged to wait for supplies, and when at last his ships were victualled he learnt that the galleons had disembarked their treasure at Teneriffe and lay at anchor in the bay of Santa Cruz. He sailed for the Canaries, and on April 19 he was off Santa Cruz, where every preparation had been made to repel his attack. A strong castle mounting forty guns defended the mouth of the harbour, and seven forts, linked by breastworks for musketeers, commanded the space within. Sixteen Spanish ships, seven of them upwards of 1,000 tons burden, were moored under cover of the forts. Blake, who remembered Porto Farina, did not hesitate for a moment. Early on the next morning he called a council of war and laid down the plan of battle. Stayner with twelve frigates was to destroy the ships, while Blake himself with the rest of the fleet assailed the fortifications.

Stayner led the way into the harbour and cast anchor within a pistol shot of the Spanish admiral. The Spaniards had placed their ships so awkwardly as to shelter the English from the fire of their own land batteries. At such short range Stayner's well-directed fire told fearfully. The Spanish admiral and vice-admiral blew up, and as the remaining ships fell silent and were abandoned by their crews, Stayner sent in his boats to burn them. Some the English sought to carry off as prizes, but these were also burned by Blake's express order. Meanwhile Blake had mastered the fire of the forts. After a contest of seven hours there remained of the Spanish fleet nothing but a few charred wrecks floating on the water. The English had lost no more than 50 men killed and 120 wounded. There was yet some danger, for several of the ships were almost disabled, the wind blew straight into the bay, and the Spaniards manned their forts afresh and reopened fire. Blake's veterans, notwithstanding, warped out their ships and brought them all off. The treasure, which had been carried inland, was not taken, but it was useless to Spain, and the Spanish operations against Portugal and in Flanders were crippled for want of money.[1] In June Blake was ordered to return with part of

[1] See Firth, "Blake and the Battle of Santa Cruz," *English Historical Review*, xx., 228 (1905).

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CHAP. XIX.

the fleet. A three years' campaign had broken his health, and he died on August 7 as his ship was entering Plymouth Sound. He was honoured with a public funeral and a grave in Westminster Abbey. By his devotion to duty, his unflinching courage, and his power of inspiring the men under his command, he had renewed the great tradition of the Elizabethan admirals, and had set an example rarely equalled until the days of Hawke and Nelson.

An alliance between the French and English governments was for some time retarded by discordant views. The protector was unwilling to furnish troops. The French demurred to beginning the joint operations with an attack on Dunkirk, and Turenne alleged that it would be needful to defeat the Spanish army before besieging any of the Flemish ports. The protector wished to enlarge the alliance by inducing the Swedes, the Danes, and the Dutch to join in a grand attack upon both branches of the house of Austria. Mazarin raised the objection that the Dutch at least were better disposed towards Spain than towards France or England. When these difficulties had been overcome, the treaty of alliance was signed on March 23. It stipulated that England and France should join in attacking Gravelines, Dunkirk, and Mardyke by sea and land; that France should contribute 20,000 troops and England 6,000, who were to be paid by France; that when taken Gravelines should belong to France, Mardyke and Dunkirk to England; but that if Gravelines were taken first, the English should hold it as security for Dunkirk. The English soldiers, although acting with the French, were to form a separate corps under a general of their own. The Roman catholics were to have the free exercise of their religion in towns acquired by the English. By a secret article each state undertook not to conclude a separate peace with Spain for a year from the signing of the treaty. In this alliance each party sacrificed something: the English, by helping what formerly they had always tried to hinder, a French conquest of Flanders; and the French, by assisting to plant the English power on their own side of the Channel. But, since France was much more likely than England to keep whatever she might win, there is some truth in the reproach so often made against Cromwell that he laboured

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to aggrandise a strong and ambitious neighbour at the expense of one that was decrepit and harmless.

The campaign should have been opened in April, but the English and French were not ready, and the Spaniards who took the field first were able to strengthen the garrisons of Dunkirk and Gravelines. When Turenne at last put his army in motion and assailed Cambrai, Condé raised the siege and forced him to retire to St. Quentin. There he was joined in May by 6,000 English soldiers under General Reynolds. Although a large proportion were new recruits, their robust soldierly appearance was warmly praised by Turenne and by King Louis who passed them in review. Turenne laid siege to the inland towns of Montmédy and St. Venant. The Englishmen fought well, but were apt to sicken if food ran short or desert if not punctually paid, so that by September the corps had lost one-third of its strength. Dissatisfied with the employment of his troops, Cromwell addressed such sharp remonstrances to Mazarin, that Turenne at length approached the coast, hoping to make the Spaniards fight a battle. He declared that Mardyke only could be taken so late in the year. Cromwell sent him a reinforcement of 2,000 men and fitted out a squadron to co-operate with the besiegers. Mardyke fell on September 23 and was delivered to the English, who thus gained control of the canal leading from Dunkirk to the sea. In November Don John of Austria, the new governor of the Netherlands, with Charles II. and the Duke of York, made a vain attempt to recover the place. A long series of bickerings about the defence of Mardyke ensued between the protector and the French.[1]

The Swedish king, who had provoked so many enemies, desired to have at least one friend. In July, 1656, he made a commercial treaty with England to the effect that the tolls levied in the parts of Poland and Prussia subject to his authority should never be raised higher than they were in 1650, and that, if they were lowered in favour of any other nation, the benefit should extend equally to the English. Soon afterwards the many princes who hated and feared Charles X. joined in a formidable confederacy to pull him down. The Emperor Ferdinand

[1] See letters in *Clarke Papers*, iii., and Firth, "Royalist and Cromwellian Armies in Flanders," *Transactions of the Royal Historical Society*, N.S., vol. xvi.

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CHAP. XIX.

III. having died in April, 1657, his successor Leopold made an alliance with the Poles against the Swedes. The Tsar Alexis invaded the Baltic provinces of Sweden. Frederick III. of Denmark declared against Charles in July; the Elector of Brandenburg changed sides once more; and the Dutch seemed about to pass from ill-will to active enmity. Calvinists and Lutherans, papists and the adherents of the Greek Church were arrayed side by side against Charles; a clear warning to Cromwell that foreign policy could no longer be based on difference of religion. Thus hard beset, Charles quitted Poland, which was well-nigh lost, transferred the war to Denmark, and tried to make an alliance with England. Cromwell was ready to mediate on behalf of Sweden, but would not promise to declare war on Denmark, and could not afford that help in money which Charles most urgently required.

In England unusual quiet followed Cromwell's second installation as protector, although Sexby still wove conspiracies against the tyrant. With the help of Captain Titus, a presbyterian exile, he wrote the famous pamphlet *Killing no Murder*, which was printed in Holland and thence smuggled into England. As it did not prevail upon any man to risk his own life in trying to take the life of Cromwell, Sexby came over to hearten his friends, but was betrayed and arrested when embarking for the return voyage to Holland. He was sent to the Tower, where he fell sick and died in January, 1658. Cromwell formed a new council of state, re-appointing most of the old members. Lambert refused to take the oath required of a councillor by the petition and advice, whereupon Cromwell dismissed him from his command as major-general and took away all his other commissions. The fall of this brilliant soldier and aspiring politician seems to have passed without notice. In the autumn Cromwell began to select the members of the new house of lords. He nominated seven peers of England, one of Ireland, and one of Scotland, certain sons of peers, and several baronets and country gentlemen. The rest of his lords were members of his own family, soldiers, and officials. Of the peers two only, Lord Fauconberg, his son-in-law, and Lord Eure, who had sat in the little parliament, would obey the summons. Even such puritans as Manchester, Saye, and Wharton disdained to sit beside men who had fought

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their way up from the condition of draymen or cobblers. In all sixty-three persons received writs, of whom forty-two accepted and were sworn in, some of the rest being absent on the public service.

On January 20, 1658, the parliament met for its second session. As the petition and advice had taken from the council power to test the qualification of members, the excluded members mostly came back and were admitted on taking the oath of fidelity to the protector. About thirty of his staunchest adherents had been withdrawn to the new house of lords, so that the temper of the commons was profoundly modified. The protector's speech, brief and weary, betrayed his failing strength.[1] The republicans were determined not to accept without cavil the petition and advice which had been passed by shutting them out, and they found in the new house of lords the most assailable part of the constitution. Within three days the houses began to wrangle. When the lords sent a message to the commons proposing a public fast, the commons merely replied that they would send an answer by messengers of their own. Then they debated whether they should address the new body as the lords or "the other house". According to the republicans the style of lords would imply that it inherited all the powers of the former house of lords and was co-ordinate with the commons, thus re-establishing a hindrance to the will of the people expressed through their representatives. The term "other house" would limit it to the powers expressly conferred by the petition and advice, mere judicial powers without any voice in legislation. Scot and Cooper with Hazlerigg, who, although summoned to the house of lords, preferred to keep his seat in the house of commons, were foremost in the attack. The old house, they said, was mischievous, but it at least represented property in land which the new house could not pretend to do. The court party, as they were called, dwelt on the need of a check to hasty legislation, and recalled the public services of many of the new lords.

Cromwell, in alarm, summoned the houses to Whitehall on the afternoon of January 25. He dwelt on the combination of catholic powers against protestantism, on the cavalier preparations, on the divisions in England, on the unrest of Scotland

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Speech xvi.

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CHAP. XIX.

and Ireland. He reminded them that the pay of the army, their sole defence, was several months in arrear, and exhorted them to unity as the only means of averting a new civil war, which must be fatal to an exhausted people.[1] It was all in vain. Between him and full half the house of commons no principle of co-operation could be found. He took an early opportunity to declare that he was bound by an oath to maintain the privileges of both houses. The republican leaders went on discussing the other house and rejected every curb on the resolutions of the commons. They sought to form an alliance with the malcontents in the army and with the fifth monarchists everywhere. They set on foot a petition to the commons asking for a parliament with unrestricted powers, and for security that officers and soldiers should not lose their employment save on due trial before a court-martial. When it should have been presented, they would demand the recall of the long parliament and the restoration of the republic. This ferment gave new courage to the royalists. Charles sent Ormond to London, and prepared on his favourable report to sail with such troops as he had collected. Cromwell learnt that the petition was to be presented on February 4, and resolved to strike first. Without notice and without ceremony he went down to parliament that morning in a hackney coach, sent for the commons to the house of lords and spoke in terms of trenchant rebuke. They had not only disjointed themselves but the whole nation; they had endeavoured to engage the army; they were playing the King of Scots' game; and he thought himself bound before God to do what he could to prevent it. "I think it high time that an end be put to your sitting. And I do dissolve this parliament. And let God be judge between you and me." "Amen," said his adversaries, and Cromwell's last parliament vanished.[2]

His controversy with it was the same as with the former parliament. He held that, unless the puritans could agree to accept a constitution with checks on the power of a single elected house, they could not hope to rule the three kingdoms and absorb the indifferent or hostile masses. The republicans held that such a constitution was unsound in principle, and that the petition and advice, not having been adopted in a full and free

[1] Carlyle, *Letters and Speeches of Oliver Cromwell*, Speech xvii.
[2] *Ibid.*, Speech xviii.

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CHAP. XIX.

parliament, was null and void. As there was no way of reconciling such a difference, Cromwell went back for the third time to the rule of the sword. Two days after the dissolution he addressed a meeting of the officers in defence of what he had done, and invited those who could not approve to speak their minds. Most of his hearers expressed their readiness to live and die with the protector; but the officers of his own regiment of horse owned themselves unsatisfied, and, after conferring with him several times to no purpose, were cashiered.[1] The army as a whole proved faithful; and Cromwell's prompt measures extinguished all the hopes of the royalists. Ormond, finding that he could do nothing, and that his presence in London was known, went back to Flanders. Soon afterwards papists and delinquents were required by proclamation to leave London and Westminster. Cromwell always had good information of the royalist plots, and in April many of the conspirators were arrested. Seven of the leaders were sent before a high court of justice, five were condemned, and two, Sir Henry Slingsby and Dr. Hewit, a clergyman, were beheaded on Tower Hill. During the trials some foolish cavaliers planned a rising in the city for May 15. At the appointed hour they met at the Mermaid Tavern only to be surrounded and carried off by the train-bands. Three of the ringleaders were afterwards hanged.

Disaffection and conspiracies at home did not abate the vigour of the protector's policy abroad. In March he concluded a new treaty with Mazarin, prolonging the French alliance for another year. Reynolds having been drowned when returning to England in the winter, the command of the troops in Flanders passed first to Morgan and afterwards to Lockhart, the ambassador. As the men had been reduced by hard service to one-half of their original number, they were strongly reinforced before joining Turenne's army in the middle of May. Turenne immediately laid siege to Dunkirk. The Spanish army commanded by Don John and Condé and swelled by the English and Irish regiments which Charles had raised and entrusted to the Duke of York, came to relieve the town. In the decisive battle of the Dunes, fought on June 4, Cromwell's soldiers distinguished themselves by their valour. Despite the efforts of their officers to hold them in, they charged

[1] *Clarke Papers*, iii., 139, 140.

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CHAP. XIX.

up a steep ascent and broke the Spanish infantry. They routed their royalist countrymen with such heavy loss that Charles could barely muster 1,000 men after the battle.[1] Ten days later Dunkirk surrendered and was given up to the English. By the occupation of the best port in Flanders and the ruin of the force which Charles had collected, the protector was secured from any descent upon England under Spanish patronage. Lockhart became governor of Dunkirk, while the rest of the troops under Morgan followed Turenne in the field and gained new honours at the sieges of Bergues and Ypres. Spain could no longer resist the combined forces of France and England or save any part of the Netherlands unless by suing for peace.

In Northern Europe the victories of Charles X. had forced the Danish king to implore the mediation of the protector and Louis XIV., and their envoys negotiated the peace of Roeskilde, which was signed on February 15. Cromwell still took every occasion to serve the protestant cause in Europe. He instituted a national subscription for the Polish protestants who, having welcomed Charles X., were persecuted more bitterly than ever when he had been driven out. He sought, with Mazarin's help, to hinder the election of Leopold as emperor and to carry the imperial crown out of the house of Hapsburg. He failed in that and in his endeavour to dissolve the alliance between Leopold and the Elector of Brandenburg. Nor could he reconcile the elector with Charles of Sweden. The protestant princes of Germany would not marshal themselves under that ambitious king, whom they distrusted and feared, in order to overthrow the house of Austria which could no longer do them injury. Instead of accepting the part of an unselfish protestant hero, Charles renewed the war against Denmark in the hope of subduing that kingdom altogether. The relations of the English with the Dutch grew more and more unfriendly. Knowing that France was far more dangerous than Spain, they saw with alarm the progress of the allies and gave Philip what secret help they could. In defence of their establishments in Brazil, they declared war against Portugal, thus indirectly assisting Spain, although they did not venture to refuse the mediation of France and England. Afraid of vexations to their com-

[1] *Clarke Papers*, iii., 153-58.

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merce if one powerful king gained absolute control of the Sound and the Baltic, they favoured Denmark in its rivalry with Sweden. They still differed from the English regarding the right of search, and still clashed with the English in the oriental world. Cromwell, however, was slow to break with a protestant power and the Dutch shrank from another war with England.

Notwithstanding his disappointments, Cromwell was more feared and courted than any other sovereign of his time. Even before the fall of Dunkirk, a magnificent French embassy, headed by the Duke of Créqui, came to congratulate him on the success of the allied arms and to declare the respect and friendship with which Louis XIV. regarded the lord protector. Victory abroad seemed to insure his authority at home. Every plot had been crushed so easily that the most sagacious royalists despaired of effecting aught while Cromwell lived. Charles, who had gone into exile when yet a boy, was unknown to the public and awoke scarcely any interest. If the unflinching republicans, the levellers, the anabaptists, and the fifth monarchy men hated Cromwell worse than ever, their strength was dwindling and their enmity recommended his rule to quiet citizens. He had by degrees removed so many of the sternest enthusiasts from the army that the officers gave him no more trouble, and he could count on the obedience of the privates. In seeking to revive old political institutions he humoured the lawyers, the presbyterians, still the most numerous puritan sect, and all those who, with no very definite bias, liked a system that they could understand and a government strong enough to ensure tranquillity. As he believed that the republican opposition had lost ground, Cromwell intended to call a new parliament and obtain a grant for the prosecution of the war. A peace, which could not be far distant, would enable him to make large economies, to balance income with expenditure, and to redress the grievance most widely felt, the heavy burden of taxation.

The permanence of Cromwell's work might seem ensured by a hopeful family. Three sons had died early, but Richard and Henry were in the full vigour of manhood. Richard had led a private life until his father resolved that he should be the next protector. He was then made colonel of a regiment of

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CHAP. XIX.

horse and a member of the council of state, and in 1657 succeeded Oliver as chancellor of the university of Oxford. Henry had fought in the Irish war, had been appointed major-general to the army in Ireland, and had become lord deputy in succession to Fleetwood. Both were married and had children. Of Cromwell's daughters the eldest, Bridget, was married, first to Ireton, and afterwards to Fleetwood; Elizabeth to John Claypole, a Northamptonshire squire who became a member of the protectoral house of lords; Mary to Thomas Bellasyse, Lord Fauconberg; and Frances to Robert Rich, grandson of the Earl of Warwick. Under the influence of her husband, who was a zealous baptist and a political malcontent, Lady Fleetwood became estranged from her father and shunned his house. Frances lost her young husband in February, 1657. A grief more acutely felt was the lingering and painful sickness of Lady Claypole, a graceful and charming woman, generally beloved and her father's favourite. In her last days he forgot all public business to watch by her bedside, and her death on August 6, 1658, gave him a shock from which he never recovered.

For a long time Cromwell's strength had been declining. The story that his nerves broke down under the constant peril of assassination, that he never slept twice in the same room, nor returned from a journey by the way he went, rests only on the evidence of enemies and is so improbable that it may be rejected. No conspirator against his life had ever come near success, nor can we suppose less firmness in Cromwell than is found in those sovereigns of the present day, who follow their business or their pleasure under the constant menace of a horrible death. But Cromwell had endured much hardship in the field and as a ruler had borne far more than the common load of toil and anxiety. The political fabric which he had reared could be upheld only by unremitting personal exertion. Although he prevailed over all his enemies, he bought success at the cost of life. After his daughter's death he fell into a tertian ague or intermittent fever which consumed his vital force. On August 20 George Fox, who met him entering Hampton Court Park at the head of his guards, "felt a waft of death go forth against him". That very day the ague returned more violently than before. When it abated, the physicians advised his removal to Whitehall, where he took to his bed. At first

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he was hopeful of recovery in answer to the prayers offered on his behalf, but as his strength sank, he resigned himself to death. "I would be willing," he said, "to live to be further serviceable to God and His people, but my work is done."[1] During these last hours he bore himself with the devout courage of a puritan soldier. In answer to a question put by Thurloe as the end drew near, he named or seemed to name Richard his successor. On the afternoon of September 3, the anniversary of Dunbar and Worcester, the day which he had always kept as one of thanksgiving, Cromwell died. His body, after it had been embalmed and had lain in state, was privately interred in the chapel of Henry VII., but the ceremony was followed some time afterwards by a public funeral more magnificent than beseemed the stern and simple greatness of the man.

At the present day it should be possible to judge Cromwell with equity. No reasonable person now believes that he was a conscious hypocrite or a downright self-seeker. None will now deny that religious conviction gave the original impulse to his whole career. To him as to so many other puritans the form which Charles and Laud strove to impress on the Church of England was thoroughly unedifying and unscriptural, a hindrance not a help to the Christian life, and a means of leading the people back into errors which they deemed pernicious. As they were not allowed to remain outside the Laudian system, they resolved on its destruction. At the same time they resented the steady encroachment of the crown on the liberties of the subject, and naturally took the side of a puritan house of commons against an Arminian king. When the king had been overthrown, Cromwell and his friends found that the majority of their own puritan brethren grudged them that spiritual freedom which they had done so much to conquer. They quelled the presbyterians also, but they could keep the fruits of their second victory only by remaining masters of the three kingdoms. The commonwealth rested on such a narrow basis that it was in constant danger, and yet its friends could not agree among themselves. What was left of the long parliament could no longer pretend to represent any large part of the nation, yet would not agree to dissolution. In setting it

[1] Charles Harvey, *A Collection of Several Passages Concerning his late Highness Oliver Cromwell, in the Time of his Sickness.*

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CHAP. XIX.

aside and grasping supreme power Cromwell might honestly believe that he was doing the greatest possible service to "the people of God," to puritan England, that he was averting anarchy and preparing a reconciliation of parties. So far as we can judge, he was not a man of miraculous foresight. Circumstances moulded his conduct, each step led to the next, and his saying that no man rises so high as he who knows not whither he is going was best exemplified in his own elevation.

When Cromwell had expelled the parliament he was still guided by practical considerations. The army would not have borne, nor did he desire the establishment of an absolute monarchy. He was too English, too conservative not to deem parliaments a necessary part of any enduring political system. But he was not a republican on principle like Ludlow or Sidney, still less a democrat of the modern type. In the political debates of 1647 he had propounded "the general good of all the people of this kingdom" as the true aim of the lawgiver. "That's the question, what's for their good, not what pleases them." He was not, he avowed, "wedded and glued to forms of government". Moreover, he regarded "the interest of the people of God" as the supreme object to which the interest of the greater part of the nation must in case of conflict give way. He first convened an assembly roughly representing "the people of God," the little parliament. When that proved unreasonable, he adopted the plan of a balance between a "single person" and a parliament, only to find that the parliaments which he called would not overlook the irregular origin of his power or consent to treat him as a co-ordinate authority. Thus he was forced upon the alternative of governing by the sword or of resigning his office and exposing to the most imminent danger the spiritual freedom for which he and his brethren in arms had fought. He parted in anger from both his parliaments, but with the instinct of a statesman he saw that a military rule must be precarious, and would doubtless have renewed the attempt to harmonise the protectorate with English tradition and with popular feeling.

Meantime he was in that dilemma which often embarrasses the successful leader of a revolution. He could not maintain his power save by methods even more arbitrary than those of the king whom he had resisted in the name of the law. He

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CHAP. XIX.

needed a great army and therefore imposed heavy taxes without the shadow of parliamentary assent. He invested his major-generals with such power as put every Englishman's freedom at their discretion; he imposed severe restraints and penalties upon whole classes; he imprisoned great numbers of suspected persons without bringing them to trial. He sent rebels to the plantations by mere administrative order, and tried conspirators for their lives before extraordinary tribunals unknown to Coke or Selden. He continued that interference with the amusements of the people which began under the long parliament. A great part of the nation must always have regarded him as a tyrant. Yet those who judge him with due allowance for the standard of that age will not think Cromwell naturally cruel or vindictive. Even Clarendon expressly owns that he was not a man of blood. The conduct of his Irish campaign and the ensuing settlement of Ireland illustrate not so much his peculiar hardness of heart as the passions common to his whole party. In other cases he showed himself economical of life. He was slow to resolve on the trial and execution of the king. He refrained more than once from inquiry into the conduct of those whom he knew to be intriguing with Charles II. He repeatedly suffered the escape of inveterate enemies when they were in his power, and even sent Ormond an indirect hint to leave London. Like most great men of action he was a considerate master.

We can only conjecture a statesman's motives; we can number and measure his acts. The unwilling praise of bitter foes like Clarendon is proof of Cromwell's greatness as a ruler. Although he failed in his enterprise of reconciling parties and basing a new order upon the general will, he upheld the puritan commonwealth while he lived and he saved England from a premature reaction which might have undone all that had been accomplished since the meeting of the long parliament. Although he failed to quell the national instinct of the Scots and of the Irish, he effected the first complete union of the three kingdoms. He gave a precedent of religious toleration, which, however imperfect, went far beyond anything yet known in England. He sought to effect improvements in the law which after his death were postponed for nearly two centuries. Without any pretension to learning, he respected it in others,

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CHAP. XIX.

defended the universities of Oxford and Cambridge against fanatics of his own party, and founded a new college at Durham for the education of the northern youth. He showed his regard for letters by the favour which he extended to Hobbes, Cowley, and Cleveland, all of them political adversaries. His administration might be costly, but it was not wasteful, and under him all the public services were wound up to the highest pitch of strenuous performance. Whatever exception may be taken to some parts of his foreign policy on grounds of wisdom or of justice, it bore the stamp of large ideas and daring ambitions. He saw the full value of colonies and commerce to England, and he enlarged the foundations of her empire in the new world. He taught the continental powers to dread her enmity and court her alliance. By making a protestant commonwealth arbiter of Europe he raised all protestant states in their own opinion and in the opinion of mankind. The politicians of our day may wrangle as to where his statue should be placed; for him as for all great statesmen his country is his monument.

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CHAPTER XX.

ANARCHY AND REACTION.

RICHARD CROMWELL succeeded his father without any disturbance and was at once proclaimed protector of the commonwealth of England, Scotland, and Ireland, and of the territories pertaining to them. Foreign states hastened to recognise his title, and addresses of congratulation poured in from all quarters. Richard was thirty-three years of age. His enemies could not deny that he was gentle and virtuous, nor his friends affirm that he possessed uncommon abilities. He lacked the vigour necessary to a ruler whose title was so recent. The fervent royalists, indeed, were too few to be dangerous. The various political and religious sects which had harassed Oliver, the pure republicans and the levellers, the fifth monarchy men and the anabaptists, were still hostile to the government, but they had lost influence, for the people was swaying towards old ideas in Church and State. The great majority, feeling that lassitude which ensues on a train of revolutions, were willing to obey any authority which could maintain peace. They felt however no positive loyalty towards the reigning house, nor any awe for the young protector. Active support Richard could expect only from that group of public men who, whether from interest or conviction, had attached themselves to his father's fortunes, such as Thurloe, Broghill, and Lockhart, and from the army. There Richard, when compared with his father, was at a disadvantage. As the greatest captain of the age, Oliver wielded a direct and irresistible control over officers and men. As a mere civilian, Richard could govern the army only through his generals. The most powerful among them were bound to him by family ties, for Fleetwood had married his sister, and Desborough his aunt, and under no other government could they reasonably expect

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CHAP. XX.

to be so influential or so highly considered. They might, notwithstanding, be tempted to sell their services at the highest possible rate and to make the civil ruler, if possible, their instrument.

An army which feels itself the umpire of the state loses by degrees the civic spirit and learns to claim a privileged position. From Richard's accession onwards the officers resorted to London in great numbers and held weekly meetings at Fleetwood's residence, Wallingford House. There too the chief officers, "the army grandees," met in select committee, sometimes resorting to Desborough's house for greater privacy. The outcome of these debates was a petition that Fleetwood might be made commander-in-chief in the three kingdoms and be authorised to grant commissions to all but field officers and also that no officer might be admitted or cashiered otherwise than by court-martial. Thus the army would become a self-governing corporation and its chief would stand almost on an equality with the chief of the commonwealth. At a meeting held on October 8, Fleetwood told the officers that he had imparted the petition to the protector who refused to abandon his control of the army. He therefore advised them to lay aside the matter for the present, and this was done. Nevertheless they went on to hold weekly meetings at St. James's "to seek God for a blessing on the affairs of the nation," and "a very eminent spirit of prayer appeared among them," an omen of rising political excitement and meditated revolution. In November they began to break out and to "hint at some alterations in the army, as if good men were put out and worse were put in". On the 19th, therefore, Richard summoned all the officers in London to attend him at Whitehall, and reminded them that both the civil and the military government were vested in him and that, as they had acknowledged him protector, he had a claim on their loyal assistance.[1] His modest and persuasive tones affected his hearers and gained him another respite.

He summoned a new parliament in order to obtain supplies and raise a barrier against the dictation of the army. The elections were held, not according to the Instrument but on the old system, and the parliament met on January 27, 1659. Although the most distinguished opponents of the Cromwellian

[1] *Clarke Papers*, iii., 165-70.

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dynasty, Vane, Ludlow, Lambert, Cooper, Scot, and Hazlerigg, found seats in the new house of commons, the total number of republicans was small. After the protector had opened the session, Secretary Thurloe brought in a bill recognising his title, which the republicans tenaciously opposed. They threw doubt on the nomination of Richard by Oliver; they declared that his office could be conferred by parliament alone; they argued that the petition and advice, as the work of a mutilated house of commons, was invalid, and that it required amendment since it made the protector virtually absolute. The court party, however, prevailed, the house agreeing to recognise Richard's title, and in the same bill to provide for the rights and liberties of the people. Then the position of the other house was keenly debated. The commons at last resolved to recognise it during the present parliament. They further resolved that they did not intend to exclude such peers as had been faithful to the parliament from the privilege of a summons. On the other hand, some arbitrary acts of the late protector were reversed, and several political prisoners regained their liberty.[1]

Defeated in parliament the republicans had recourse to the army. By so doing they forswore their own principles, since they appealed from a representative assembly to the power of the sword; but they were too angry for reflection on the consequences. The ferment among the troops had broken out again in February. The officers and soldiers generally were impatient for their arrears of pay, and loth to forego the privilege of interfering in State affairs. The chiefs feared lest they should be called to account for their actions as major-generals. Such of the army as were austere puritans took offence at Richard's careless temper. He had asked a malcontent, rumour ran, whether he was to prefer none but the godly, subjoining "Here is Dick Ingoldsby, who can neither pray nor preach, and yet I will trust him before ye all". Lastly, there were in the inferior ranks many republicans who had held their peace under Oliver but were open to solicitation under Richard. The republican statesmen might therefore hope to make the army their lever in overturning the protector, and Ludlow,

[1] Ludlow, *Memoirs*, ii., 48-61; *Commons' Journals*, vii., 593-644.

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CHAP. XX.

Vane, and Hazlerigg opened a correspondence with the generals at Wallingford House.

On April 5 some 500 officers assembled there. After a fiery harangue against the sons of Belial, Desborough proposed to cashier all who would not swear that they held Charles Stuart to have been lawfully and justly executed. Broghill resisted, arguing that if any oath were required, it should be one of fidelity to the established government. Finally the meeting agreed on "a humble representation and petition," which was laid before Richard and by him forwarded to the speaker. After leaving it unnoticed for several days, the commons resolved that there should be no more general meetings of officers without the leave of the protector and of both houses, and that none should be allowed to retain a command who would not subscribe a promise to respect the freedom of parliament. Richard, on April 19, went to Wallingford House and declared the council of officers dissolved. Thus the crisis had come when the army must either submit to the parliament or turn it out of doors. Richard was advised to arrest Fleetwood, Lambert, and Desborough, but forbore. Fleetwood ordered all the regiments in London to rendezvous at St. James's, and few soldiers obeyed the protector's counter-summons to rendezvous at Whitehall. Next morning Desborough went to Richard and declared that, if he would dissolve his parliament, the officers would take care of him; but that, if he refused, they would act on their own authority and leave him to shift for himself. After a hard struggle Richard gave way. A commission to dissolve the parliament was drawn up that night and delivered to Fleetwood and Desborough. When the commons met the next morning they rather suspected than knew what had passed, but when black rod came to summon them to the house of lords they sought to avoid the ignominy by adjourning to the day after. A proclamation made known that the parliament was dissolved, the doors were locked, and a guard was set in the court of requests to turn back obstinate members.[1]

The army was once more supreme, but the officers would not venture to raise taxes by their own authority, and there-

[1] *Clarke Papers*, iii., 191-93; Ludlow, *Memoirs*, ii., 63-71; Whitelocke, p. 677.

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fore deemed it necessary to restore a form of civil government. The republicans proposed to recall the long parliament, but the military chiefs were unwilling to depose Richard. In conference with the republican leaders at Vane's house, they demanded an indemnity for themselves, a confirmation of Richard as protector, with a suitable maintenance, government by a representative assembly and a select senate, and the oft-promised reformation of the law and the ministry. Although the republicans would not agree to continue the protectorate in any form, the officers consented to restore the rump. A deputation waited on old Speaker Lenthall, and declared the wish of the army that the parliament should return to the discharge of its duty. Lenthall hesitated, for he was one of Cromwell's lords; yet on May 7, amid the congratulations of the officers, he led the way into the house of commons, attended by forty-two members of the long parliament. The commons appointed a committee of public safety, and announced their resolution to maintain a commonwealth without a single person or a house of lords.[1] Richard lingered a few days at Whitehall, but soon retired to Hampton Court and thence into obscurity, unbroken until his death in 1712. His tame withdrawal banished the fear of civil war. In Scotland, Monk, who might have supported him in resistance, acknowledged the new rulers. In Ireland, Henry Cromwell, who was suspected of meditating an appeal to arms, wrote on June 15 to Lenthall declaring his submission, and a few days afterwards sailed for England. Lockhart and the troops in Flanders followed the example thus set. Louis XIV. and Mazarin, who had proffered their help to Richard, soon recognised the new government, and the other sovereigns of Europe did likewise. So easy and inglorious was the fall of the house of Cromwell.

The restored parliament consisted of about 120 members, but it was rarely that half of this number took part in a division. The excluded members, still upwards of 200, sought to return, and addressed to the speaker a protest which was left unheeded. It is singular that the most formal republican could have regarded a body so small and so much out of date as a truer representation than the parliament which the army had expelled, yet such men as Vane and Ludlow had no misgiving

[1] Ludlow, *Memoirs*, ii., 73-83.

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CHAP. XX.

about its right to speak on behalf of the people. Having voted that it would dissolve on May 7, 1660, a year after its restoration to power, it began to consider the details of a new form of government. Some time was spent in renewing the administration and providing for current expenses. Little change was made in the conduct of affairs at home, but abroad the policy of Cromwell was abandoned. Before Cromwell's death the Dutch, fearing the ambition of Charles X., had sent a fleet to assist the Danes. Richard and his council sent Montagu with a fleet to observe the course of events and support Meadowe, the English envoy, in mediating between Danes and Swedes. The parliament sent Algernon Sidney and two others to succeed Meadowe and instructed them to use their influence on behalf of Denmark, not as Cromwell would have desired, on behalf of Sweden. In so doing it sought amongst other things a good understanding with Holland. Negotiations for a peace having begun between France and Spain, it was anxious that England should be included, and therefore accredited Lockhart once more as ambassador to Louis XIV. Lockhart went to St. Jean de Luz, where Mazarin was conferring with Don Luis de Haro, and was well received, although he did not accomplish his purpose. The parliament had a double reason for this pacific temper. When Europe should be at rest it could remit taxes and it could disband a great part of the army.

No sooner had the army restored the parliament than the old schism between the two powers broke out afresh. In May eighteen of the principal officers carried up to the house a petition asking, among other things, for a select senate co-ordinate with the commons, a council of state, and a provision for Richard. The house agreed to name a council, referred the provision for Richard to a committee, and ignored the request for a senate. In June it gave Fleetwood command over all the forces in England and Scotland, but withheld the plenary power of choosing officers. Lambert, Desborough, Berry, Ludlow, Hazlerigg, and Vane were joined with him to nominate persons for the approval of parliament. Every commission was to be signed by the speaker, who was to present it with his own hands. These regulations caused much discontent, for with the change of government every officer had to take out his commission afresh, and if his loyalty were doubtful was

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CHAP. XX.

removed, without even the form of a hearing.[1] The army, finding that the house meant to keep it in subjection, might have revolted at once but for a common danger. The overthrow of the house of Cromwell had redounded greatly to the advantage of the house of Stuart. The public, finding no term to revolution and disliking military rule, began to regret that old order which alone seemed to promise stability. Charles and Hyde sought to gain the most eminent of Richard's partisans and in many cases were successful. They expected that Monk would bring the army from Scotland and Montagu the fleet from the Sound to support the restoration. A simultaneous rising in many parts of the kingdom was planned, and Charles himself, with Ormond and a few others, went secretly from Brussels to Calais that he might be ready to cross at the right moment.

But the parliament had inherited Cromwell's excellent system of intelligence with the able and zealous official who worked it, and Secretary Thurloe was well informed of the motions of the conspirators. The fear of the army still lay heavy on the malcontents. When August 1, the day fixed for the general insurrection, came, the outbreaks were rare and, with one exception, trivial. John Mordaunt and a few friends tried a rising in Surrey. Gloucester was to have been surprised by its old defender Massey along with Lord Herbert and other royalist and presbyterian leaders, but they were quietly arrested the day before. In Cheshire, Sir George Booth and the Earl of Derby raised their standard at Warrington, gathered some 5,000 men, and seized the city of Chester. They dared not breathe the name of Charles, only declaring their wish to ensure a free parliament and a government according to law, and when some eager royalists proclaimed the king, many of the insurgents went home. The commotion, however, spread into Flint on the one side and Lancashire on the other, and caused grave alarm at Westminster. Lambert was despatched against Booth with three regiments of foot, three of horse, and one of dragoons, and reinforcements were summoned from Ireland and Flanders. On August 19 Lambert attacked the rebels at Winnington Bridge near Warrington and dispersed them with little loss. Booth and several other ringleaders were taken either then or a few days later and lodged in the Tower, but lenity was shown

[1] Ludlow, *Memoirs*, ii., 87-91.

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CHAP. XX.

and no blood was spilt. Monk and some of his friends had framed a remonstrance to parliament, which they were careful to destroy on hearing of these events, and Montagu, who had suddenly returned with his whole fleet, as he said to get provisions, found no party to support. The general insurrection failed as pitifully as all other attempts had failed since the battle of Worcester.[1]

Success banished the fear which for a little while had reconciled the parliament with the army. Lambert was indignant that the house would not reward his service with the rank of major-general. His officers, assembling at Derby, named a committee which drew up a petition to parliament. It demanded that the petition tendered in May should be taken into consideration, that Fleetwood should be appointed permanent commander-in-chief, that Lambert should be made a general officer and be given the second place, and that Desborough and Monk should rank next after them. A copy having first been sent to Fleetwood, the matter came to the knowledge of the house, which called for the original, and in high displeasure resolved that to have any more general officers was needless, chargeable, and dangerous to the commonwealth. Fleetwood was ordered to inform the petitioners of this resolution and to reprimand them for their indiscipline. Enraged at the rebuff the officers began afresh their meetings at Wallingford House. On October 5 they sent up a petition protesting their fidelity to the commonwealth, but asking that the command in chief might be settled and that no officer or soldier should be cashiered, save after a due proceeding at court-martial. While considering the petition in no friendly spirit, the house learnt that the officers had been circulating it throughout the country and pressing their comrades to obtain subscriptions. As Monk had sent unreserved assurances of his loyalty, the members thought that they might safely mark their indignation. They passed a bill annulling all acts of the single person and his council save in so far as confirmed by parliament, and declaring it treason to levy any tax without their consent. They annulled the commissions of Lambert and several other officers who were parties to the letter inviting sig-

[1] Ludlow, *Memoirs*, ii., 107-114; *Clarke Papers*, iv., 34-48; Clarendon, xvi., 22-46.

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natures, and they vested the supreme command in a committee of seven, whereof Fleetwood was but one. On October 12 Lambert called a meeting of officers who promised their help. On the next morning he invested the parliament house with his troops and denied all access to members. Little more than five months after its restoration the long parliament was expelled a second time by the army.[1]

The officers appointed Fleetwood commander-in-chief, Lambert major-general, and Desborough general of horse, and resolved that they, with three others, should have the power of nominating to commissions. What political order to establish was a more embarrassing question. The army tried to negotiate with the leaders of the rump, and, failing them, with the council of state which continued to sit for a fortnight after the parliament had been driven out. One or two sincere republicans, such as Vane and Ludlow, while condemning all that had been done, were willing to act with the army sooner than risk a restoration of the Stuarts, and a few temporising politicians, such as Whitelocke, were prepared to comply with irresistible power. Finally the officers named a committee of safety, consisting of twenty-three persons, mostly military, although Whitelocke was president and Ludlow and Vane were members. This body named a sub-committee to prepare the draft of a new constitution, for it was recognised that government by the sword could not be lasting. England remained quiet, and the army in Ireland made little demur to accepting the latest revolution, but the army in Scotland proved less tractable.[2]

Always doing his professional duty while seeming to ignore politics, Monk had successively served the king, the parliament, the protector Oliver, the protector Richard, and the restored parliament. Whatever he might feel, he had not interfered to save Richard or to aid the recent insurrection. Impelled perhaps by conscience, more probably by ambition, he at length abandoned this passive behaviour and stood forth as the champion of the liberty and authority of parliament. He wrote to the speaker protesting his loyalty and to Fleetwood and Lambert rebuking their lawless violence. When the officers at Wallingford House sent Colonel Cobbett to satisfy the

[1] *Clarke Papers*, iv., 60-63; Whitelocke, pp. 684-85.

[2] Ludlow, *Memoirs*, ii., 131-49; Whitelocke, pp. 685, 686.

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CHAP. XX.

army in Scotland that the expulsion of the rump was just and necessary, Monk had him arrested at Berwick and thrown into prison. The committee of safety sent Monk's brother-in-law, Dr. Clarges, and Colonel Talbot to treat, and various officers and clergymen lent their aid to effect an understanding. Even then Monk's opponents imputed to him the design of restoring Charles, and in after years he was glad to have this believed; but it is unlikely that he saw so far into the future or aimed at more than the power and popularity to be gained by asserting the supremacy of the law against the passions of the camp.

He began to purge his army of those officers whom he could not trust and to draw his scattered forces together. As the weaker party he was obliged to temporise, and named three commissioners for a treaty. He could not risk calling the Scots to arms, but in order to secure the country in his absence and obtain what help he might, he summoned commissioners from the shires and burghs to meet him at Edinburgh on November 15. After telling them that he had a call from God and His people to march into England and assert the liberty of parliament, he empowered them to suppress all tumults and unlawful assemblies and required them not to correspond with Charles Stuart, engaging at the same time that he would do his best to procure an abatement of their burdens. They returned a cordial answer, for in any event the Scots were likely to be gainers. The officers in England distrusted Monk, and while they consented to negotiate they agreed that Lambert should march northwards with all the troops available. Lambert met Monk's commissioners at York and declared that he had powers to treat with them. As they insisted upon the restoration of the parliament, he acknowledged that his powers did not extend so far and sent them on to London, where a treaty was concluded on November 15. It provided amongst other things that a parliament should be summoned as soon as possible, and that meantime the forces on either side should be drawn back.[1]

When Monk was informed of the treaty he declared it insufficient, and proposed to increase his commissioners to five, who should begin a new negotiation with a like number from

[1] *Clarke Papers*, iv., 64-118.

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the army in England. The proposal was accepted, and Newcastle was chosen for the place of meeting. Instead of falling back, however, the troops on either side advanced, and Lambert and Monk fixed their headquarters at Newcastle and Berwick respectively. Monk, who could dispose of 6,000 foot and 1,500 horse and dragoons, was weaker than Lambert, who had thrice as many horse and dragoons, although no more than 3,000 foot. Monk had no available reserve, whereas Lambert could draw upon a great force of regular troops and militia. In other respects Monk had the advantage. He could trust his men, while Lambert's troops were lukewarm and divided in opinion. He could meet his expenses, as the Scots had agreed to prepay the assessment, but Lambert, for want of money, was obliged to levy taxes by his own authority or to let his soldiers live at free quarter, thus causing general disaffection. Monk knew by the report of friends in England that time was working in his favour and he was therefore content to spin out the negotiation. It was barren, for he could demand no less than the recall of the parliament, which his adversaries could never willingly allow. Clearsighted friends advised Lambert to break off the treaty and take the offensive, but he seems to have been benumbed by those scruples which so often haunt the soldier who has set himself above the law. CHAP. XX.

Meantime the committee appointed to draft a constitution agreed that there should be a new parliament of a single house. The constitution, when finished, was ratified by an assembly representing the army and navy, and a proclamation ordered that the parliament should meet in February. But already the power of the committee of public safety was undermined. The nation had long been weary of its masters, and the army was disunited. That sacred fire of enthusiasm which had conquered three kingdoms was burning low. The soldier had no great idea, no intelligible cause for which to fight, nor any leader whose personal ascendency could supply that want. Fleetwood was a weak enthusiast, Lambert an unscrupulous politician. Many officers who, like Ludlow, were staunch republicans, blamed the expulsion of the rump; others who were attached to the house of Cromwell had not forgiven its dethronement. Colonel Whetham, the governor of Portsmouth, undertook to receive Hazlerigg, Morley, and Walton, whom the parliament

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CHAP. XX.

had named commissioners for the army. When they joined him on December 3 he pronounced for the restoration of the parliament. The troops sent to besiege Portsmouth passed over to his side. Admiral Lawson and the fleet in the Downs declared for the parliament, and the army in Ireland took the same side. The city of London showed such a temper that a rising against the soldiers might take place at any moment. Whitelocke advised Fleetwood either to make common cause with the city and declare for a free parliament, or to gain Charles Stuart by offering to effect his restoration upon terms. While Fleetwood was lost in irresolution, certain members of the old council of state met at Lenthall's, ordered a rendezvous of the regiments in London, and bade the general surrender the keys of the parliament house. On Monday, December 26, the long parliament, a second time restored, met at Westminster.[1]

Two days before Monk had broken off the negotiation with Lambert. He had concerted with Fairfax a rising of the northern gentry to take Lambert in the rear, and the news which reached him from the south of England gave every ground to hope that an invasion would be successful. On January 2, 1660, he crossed the Tweed at Coldstream. When tidings of the restoration of the parliament was brought to Newcastle, Lambert's officers lost courage, his soldiers dispersed, and in a little while he was reduced to some fifty followers. At York Monk received the orders of the council of state to come on to London, enrolled some of Lambert's men in his army, and sent some of his own troops back to Scotland. On the 16th he set out from York through a country deep in snow. Near Leicester he was met by Scot and Robinson, the commissioners of the parliament, who came ostensibly to render thanks and congratulations, really to observe his actions and divine his plans. He received them with profound respect, but he did not disclose his intentions. All along his line of march he received addresses calling for the reinstatement of the secluded members and the election of a full and free parliament, and to all he returned brief and evasive answers, for he was still uncertain how to act and would not commit himself until he had felt the pulse of the nation. When he reached St. Albans he invited the parliament to ensure the peace of London by sending away

[1] Whitelocke, pp. 690-92; *Clarke Papers*, iv., 219-21.

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all but two of the regiments then in garrison. It complied, and on February 3 Monk and his troops marched into the capital.

The parliament had not really desired the presence of the soldier to whom it owed its restoration. It was even weaker than before the last expulsion, for members who, like Vane and Whitelocke, had condoned that act of violence, no longer dared to take their seats, and the house never mustered more than fifty-three on a division. Its first act was to appoint a new council of state consisting of twenty-one of its members with ten others. Monk, Lawson, and Morley were among the councillors, but most of the body were civilians. In the council and in the house Hazlerigg and Scot had the largest share of influence. Many officers were cashiered for the part which they had taken in the recent usurpation. Lambert, who had surrendered, was ordered to reside at a distance from London. Members of the council of state were required to abjure the house of Stuart and government by a single person. The house resolved to fill up its numbers to 400, and then proceeded to settle the qualifications. Monk was rewarded with an estate of £1,000 a year. He was solemnly received by the commons and was thanked by the speaker. In his reply, while he forbore any words which might seem to adopt the wishes so often expressed to him during his march from Scotland, he dwelt on that earnest desire for a settlement which he had observed in the nation, and hinted that the fewer the oaths and engagements required the sooner such a settlement would be attained. The house was not altogether pleased with his evident anxiety to wait on public opinion.[1]

Outside the house men called more and more loudly for the re-admission of the secluded members. It was especially desired by the presbyterians, who would thus regain their supremacy. But the rump, which would lose power and the means of defending all those principles, political and ecclesiastical, which it most valued, would not hear of re-admitting the secluded members, and persevered with the alternative plan of filling up vacant seats. The city of London, the stronghold of the presbyterians, was well-nigh in a state of rebellion, and the common council resolved that the citizens were not bound to pay taxes until their representatives were restored to the house.

[1] Whitelocke, p. 695.

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CHAP. XX.

The council of state ordered Monk to chastise the city by removing the posts and chains in the streets, by unhinging the gates and wedging the portcullises, and by arresting the citizens who had been foremost to encourage resistance. He marched into the city and executed these orders, while the house resolved on the dissolution of the common council and the election of a new one by its own adherents. Monk returned to Whitehall with the conviction that he had done enough to gratify the oligarchs and that public opinion summoned him to adopt a new policy. On the 11th he marched into the city once more, invited himself to dine with the lord mayor, harangued the common council, excused what he had done under constraint, and announced that he had written to the parliament requiring it to fill up vacancies and to dissolve by May 6 at the latest. Then the passions so long repressed by fear broke out in a frenzy of delight; the soldiers were feasted by the people, the bells of all the churches were rung, the streets were all aglow with bonfires, and at every bonfire a rump was roasted in mockery of the parliament.[1]

Yet Monk had not fully complied with the desires of the citizens. Not until a conference at his quarters between the chiefs of the hostile parties had proved fruitless did he yield to the rising demand for the restoration of the secluded members to their seats. He invited them to meet at Whitehall on the 21st, and sent them back under a guard to the parliament house. Thus the independents, who had ruled England for upwards of eleven years and had done so many great and so many questionable things, fell from power and became once more a weak and unpopular sect which might deem itself happy if it could escape proscription. The presbyterian majority treated as null and void all that had been done in parliament since December, 1648. It named a new council of state, reconciled itself with the city, which advanced £60,000 to meet current expenses, and released a number of political prisoners. It did not, however, show a vindictive temper. Lambert was summoned before the council, and on failing to give security in an enormous sum for his good behaviour, was committed to the Tower, but no other person suffered punishment, and the leaders of the rump were allowed to keep their seats. New honours

[1] Pepys, *Diary*, February 11, 1660.

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CHAP. XX.

and rewards were heaped upon Monk, who was made commander-in-chief of all the forces in England, Scotland, and Ireland. None yet muttered a word about restoring Charles, and Monk himself declared loudly and repeatedly for a commonwealth.

On one point, indeed, the house had learnt nothing and forgotten nothing. Still bent on a rigidly presbyterian settlement of the Church, it adopted the Westminster confession and ordered the Solemn League and Covenant to be set up in every parish church and to be read once a year. It fixed April 25 for the meeting of a new parliament and named a committee to settle the qualifications. Royalists who had borne arms against the parliament were allowed to vote at elections, although they might not be chosen unless they had redeemed their fault by giving some proof of their good affections. Members were no longer obliged to promise that they would be faithful to the commonwealth as established without king or lords. The parliament passed an act disbanding the militia and providing for its re-organisation by persons who could be trusted. Finally it dissolved itself on March 16 after an existence of nearly twenty years. It had long outlived its usefulness, but the result of its labours is still felt by England and by all the states which have copied English institutions.

The presbyterians, who were again in the ascendant, had always been adherents of monarchy, and the Solemn League and Covenant provided for the defence of the king's person and authority. Those who had no definite political opinions were tired of frequent revolutions, heavy taxes, insecurity, and the rule of the sword. The royalists were full of hope and bestirred themselves to gain a majority in the new parliament, while the republicans were powerless, for they had no recognised leader, and their friends in the army had been displaced to make room for officers whom Monk could trust. In despair some thought even of restoring Richard or of investing Monk himself with supreme authority, but such schemes were visionary. Monk began to think that the restoration of Charles II. was inevitable, and that he would do well to gain the merit of effecting that which would otherwise be accomplished without his help. Sending privately for Sir John Grenville, a son of that Sir Bevil who fell at Lansdown, a kinsman of his own and

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CHAP. XX.

high in the confidence of Charles, he entrusted him with a verbal message for the king. It recommended Charles to open the way for his own return by promising an entire oblivion of all past offences, a confirmation of sales of land effected under the commonwealth, and a general toleration. It also advised that Charles should quit the Spanish dominions at once and go to Breda where he might await the event in security.[1]

Charles took this advice and removed with his little court to Breda. He was not prepared to grant Monk's requests in their full extent; but since all that he learnt from England led him to believe that the new parliament would be passionately loyal, he could safely refer to its decision the matters at issue. By his famous declaration from Breda he promised an indemnity to all offenders not excepted from pardon by parliament, his consent to an act for the liberty of tender consciences, the determination by parliament of the validity of all sales of land made during the revolution, and the satisfaction in full of arrears due to the soldiers. Letters in harmony with the declaration were addressed to Monk as general; to Monk and Montagu as admirals; to the speakers of both houses in the coming parliament, and to the mayor and common council of London. Grenville carried these documents to Monk, who was satisfied with their tenor, and thenceforward directed all his measures to a restoration, but still maintained profound secrecy, although the city of London had sent a formal address to the council of state asking that the king should be invited to return on conditions substantially the same as those which he had suggested to Charles.

Before the parliament met a last effort was made to shake Monk's control of the army. Its old leaders were either in prison or on parole to remain quiet, but they had not lost all their influence. The officers who had been cashiered were ready for desperate courses, and many of the rank and file were enraged to think that the commonwealth and with it their own supremacy in the state were drawing to a close. Lambert escaped from the Tower on April 9, made for Buckinghamshire, and sent emissaries in all directions to rally his old companions in arms. Some days were lost before Monk knew where he was hiding, and despatched Colonel Ingoldsby in pursuit. Lam-

[1] Clarendon, xvi., 165-70.

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CHAP. XX.

bert had been joined by several officers of note, but he had only been able to rally a few troops of horse and one company of foot when Ingoldsby with a superior force overtook him near Daventry. A parley ensued. Lambert's men who had lost heart and hope surrendered or fled, and Lambert himself was made prisoner by Ingoldsby, who brought him back to London and lodged him once more in the Tower.[1] An engagement to accept whatever the parliament should resolve as to the future government of the country was tendered to all the troops. The staunchest republicans laid down their arms and went home sooner than subscribe, and the army, whatever discontent might linger in the ranks, gave no further trouble.

On the 25th the new parliament, better known because of its irregular origin as the convention, met. It was thoroughly royalist and perhaps half presbyterian. Nothing had yet been determined as to the house of lords, save that the act for calling the parliament recognised the right of those peers who had engaged on the parliamentary side to sit as formerly. Public feeling, however, ran so strongly in favour of a return to the old constitution that ten peers met in their house and chose Manchester to be their speaker, and thenceforwards the lords resumed all their powers. After transacting some necessary business, both houses adjourned to May 1. Monk still maintained the strictest reserve. When Grenville, to all seeming without his cognisance, presented the letter from Charles to the council of state, they decided that they might not read it save by permission of parliament. As soon as the houses reassembled, therefore, Grenville tendered to the lords the letter addressed to them, which they received with the utmost deference. Then the commons, hearing that a messenger from the king was at their door, called Grenville in. He delivered the letter to the speaker; it was read, and the house with one voice resolved to return their humble thanks and professions of loyalty and duty to his majesty. Both houses agreed in a declaration that according to the ancient and fundamental laws of the kingdom the government is and ought to be by king, lords, and commons. Order was given by the lords to pull down the arms of the commonwealth wherever they were found and to put up the king's arms in their stead. The report of these proceedings

[1] Ludlow, *Memoirs*, ii., 257-60.

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CHAP. XX.

called forth a general rejoicing in London and throughout the kingdom. By Montagu's order the king's letter and declaration were read to the fleet and, although many of the captains and seamen were republicans at heart, their scruples were drowned in the universal shout of loyalty.[1] On May 8 Charles was proclaimed in London with the ancient ceremonial King of England, France, Scotland, and Ireland.

The crisis was over, and what further delay occurred was due to the preparations for the king's return. At Breda Charles was overwhelmed with applications from persons offering to do him service and seeking for his favour, among them some even of the regicides. Foreign governments, so long cold and disdainful, began to court his friendship. The Spaniards invited him to Brussels; the French begged that he would visit Paris or at least embark at Calais; the States General sent a solemn deputation to congratulate him on arriving in their territory; and the States of Holland requested that he would come to the Hague, an invitation with which he readily complied. A few days afterwards the fleet commanded by Montagu cast anchor off Scheveningen and welcomed the Duke of York as lord high admiral. On the 16th Charles received in solemn audience the six peers and the twelve commoners whom the parliament had sent to solicit his return. The spokesman of the commons was that Denzil Holles who had been impeached once by Charles I. and once by the army, and had survived the power of both. With the deputies of the parliament came a deputation from the city of London and another deputation of presbyterian ministers, who fancied that it was still possible to make terms with a king sure of his throne. Charles welcomed them all with the grace and good nature which were his only virtues, but kept himself free from engagements which were needless and might prove embarrassing.

On the afternoon of the 23rd Charles embarked on the fleet and performed almost his earliest act of regal power by rechristening the ships which still displayed the names of the heroes and victories of the parliament and commonwealth. He bestowed his own name on Montagu's flagship, the *Naseby*, which bore him to England. The slow and unruffled passage he beguiled with telling all who might approach his person the

[1] Pepys, *Diary*, May 3-4, 1660.

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story of his adventures after the battle of Worcester.[1] Not until the second morning did he land at Dover, where a vast concourse lined the shore and Monk was waiting to receive him. At Canterbury he paused for two days, assembled his council, and conferred the garter on Monk and Montagu. His next stage was Rochester, whence he set out on his birthday, the 29th, to make the solemn entry into his capital. The whole distance of twenty-five miles was lined by multitudes who had wrought one another up to an ecstasy of clamorous and unreasoning joy. On Blackheath the army of the commonwealth was mustered for the last time to swell the triumph of the house of Stuart. At two o'clock Charles entered London. The ways were strewn with flowers, the houses were hung with tapestry, the windows and balconies were crowded with spectators in their richest attire, the bells pealed, the conduits ran with wine, and so slow was the march that the brilliant procession took seven hours to reach Whitehall.[2] In that immense apartment through which his father had passed to the block the lords and commons were ranged to welcome Charles. When he had acknowledged their loyal addresses he was allowed to repose, if after such a day sleep were possible. By one of those strange ironies which abound in human affairs, it was reserved for an amiable, faithless man of the world, a Roman catholic in his creed, a voluptuary in his practice, to close the tale of the puritan revolution. CHAP. XX.

The consequences of that revolution were, notwithstanding, permanent. It arrested the growth of absolute monarchy in England. The personal government of the Tudors had been merely one example of a tendency at work all over Europe. Everywhere on the continent the ill-defined liberty of the middle ages had been receding before the power of the prince with his soldiers and his officials. In England, where free institutions were more coherent than in other countries and where there existed no regular army, this process was not complete when James ascended the throne, but it had gone far. Such was the power of the crown and such the awe which it inspired that only religious enthusiasm could nerve the subject to inflexible resistance. Puritan zeal turned the scale in the conflict between

[1] Pepys, *Diary*, May 23, 1660.
[2] Evelyn, *Diary*, May 29, 1660.

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CHAP. XX.

divine right and the authority of parliament. The commonwealth passed away and the Stuarts returned but they could not revive the star chamber or the council of the north, the use of torture in political cases, the claim to levy taxes or to imprison by prerogative, or the custom of legislating by proclamation. They could not induce parliament to confine itself within those limits which Elizabeth had maintained. They could not protect ministers who had incurred the hatred of the house of commons. When they sought to undo the results of the civil war and the interregnum, they only effected their own banishment and a further restriction of monarchy.

The puritan revolution also prepared the ground for the establishment of freedom of conscience. During the middle ages the catholic Church had enforced conformity to one standard of belief, and had called on the state to help where its own means were insufficient. The Reformation asserted spiritual liberty rather for nations than for individuals. Each sovereign arrogated to himself the power lost by Rome and imposed his own creed upon his subjects. In the seventeenth century most men, puritan or anti-puritan, still approved of persecution and tried to use the civil government for the suppression of heresy. Chillingworth, Falkland, and Selden on the one side, Vane, Milton, and Roger Williams on the other, stood almost alone in preaching toleration and would not have agreed with each other in applying their common principle. Nevertheless, the puritans by their stubborn assertion of their own freedom did good of which they were unaware. The long parliament by abolishing the court of high commission and restraining the powers of the other ecclesiastical courts shattered the machinery of intolerance. As private judgment in religion leads to difference of belief, the victorious puritans could never organise an effective tyranny in place of that which they overthrew, and the weaker sects were led irresistibly to proclaim the right of spiritual freedom. First among English sovereigns Cromwell allowed different forms of public worship. Thenceforwards the best minds accepted the principle of toleration, at least for all forms of protestantism, which was embodied in the famous statute of William III.

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APPENDIX.

ON AUTHORITIES.

Original State Papers.—Their bulk is much greater in the seventeenth century than in the sixteenth. The *Domestic State Papers* have been calendared for the whole of this period; four volumes of calendars for *James I.*, twenty-two volumes for *Charles I.*, thirteen volumes for the *Commonwealth*. The calendars of *Treasury Papers* are complete, and a new calendar of *Treasury Books* is in progress. The *Calendar of the Proceedings of the Committee for Compounding*, and the *Calendar of the Proceedings of the Committee for the Advance of Money*, 1642-56, are also important. The *State Papers Relating to Ireland* have been calendared from 1603 to 1660. The *Colonial State Papers for America and the West Indies* have been calendared for the whole period; the *Papers Relating to the East Indies*, etc., as far as 1634. The *State Papers Relating to Foreign Affairs* are not yet calendared. Much is to be gathered from the *Calendars of Papers in the Venetian Archives* relating to English affairs down to 1613, which we owe to Mr. H. F. Brown. As ministers in the seventeenth century on resigning office frequently carried away their official papers, a large proportion of the national archives became private property. Many of these documents are now to be found in the great MS. collections in the British Museum, the *Cottonian*, the *Sloane*, the *Harleian*, the *Lansdowne*, and the *Stowe* Collections and among the Additional MSS. so-called. The residue still remain as a rule in private hands. Their nature and value are set forth in the numerous *Reports of the Historical MSS. Commission.*

Printed Collections of Original Papers.—Among the more important are the *Winwood Memorials* (three volumes, 1725); the *Sidney Papers*, edited by A. Collins (two volumes, 1746); the *Sidney Papers*, edited by R. W. Blencowe, 1825; the *Strafford Letters and Despatches*, edited by W. Knowler (two volumes, 1739); the *Ormond Papers*, edited by T. Carte (two volumes, 1739); the *Clarendon State Papers* (three volumes, 1767-86); the *Fortescue Papers*, edited by S. R. Gardiner for

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APP. the Camden Society; the *Nicholas Correspondence* (four volumes, 1886), edited by G. F. Warner for the Camden Society; and, most valuable of all, the *Thurloe Papers*, edited by T Birch, (seven volumes, 1742) a main source of our knowledge of the commonwealth and protectorate. The most recent of these collections is the *Clarke Papers*, edited by C. H. Firth for the Royal Historical Society (four volumes, 1891-1901), and relating chiefly to the army and its political action during the civil wars and under the commonwealth.

Parliament and Parliamentary Proceedings.—The chief original authorities are the *Journals of the House of Lords* and the *Journals of the House of Commons*, which become much fuller in this period. These show the whole course of the business transacted, although giving scanty notices, where they give any, of what individuals said. They also contain, especially the *Lords' Journals*, many important letters and papers. Although the rule of secrecy was enforced during most of this period and the taking of notes in the house might be treated as an offence, such notes were frequently taken. In the house of commons we have *Notes of Debates in the Year* 1610, edited by S. R. Gardiner for the Camden Society, 1862; *Report of Debates and Proceedings in the Parliament of* 1621, first edited by T. Tyrwhitt (two volumes, 1766); *Notes of Debates in the Year* 1625, also edited by Gardiner for the Camden Society, 1874; Sir RALPH VERNEY'S *Notes of Proceedings in the Long Parliament*, edited by John Bruce for the Camden Society, 1845; the notes of parliamentary proceedings under the protectorate in *Burton's Diary*, edited by J. T. Rutt (four volumes, 1828, etc.), and other material of this sort still in MS., especially the *Diary of D'Ewes*. For the house of lords we have *Notes of the Debates* in 1621 and in 1624 and 1626 by HENRY ELSING, clerk of the parliament, 1621, edited by S. R. Gardiner for the Camden Society, 1870 and 1879. The long parliament for a time allowed its proceedings to be published, and advantage was taken of this permission by a certain W. Cook in his *Diurnal Occurrences* and *Speeches and Passages of this great and happy Parliament*, 1641. The *Old Parliamentary History*, so-called (twenty-four volumes, 1751-62), published without the name of any editor, goes down to the restoration, and the bulk of it relates to this period. It reprints many orders, declarations, letters, etc. The *Parliamentary History of England* (thirty-six volumes, 1806-20), nominally edited by W. Cobbett, covering a much larger space, is less full for this period, but still useful. These compilations contain many errors of detail.

Acts of parliament in the proper sense are to be found in the *Statutes at Large*. But the numerous enactments of the years

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1642-60 will not be found there, since for lack of the royal assent they were not statutes in the legal acceptation of the term. These must be sought in *A Collection of all Public Orders, Ordinances*, etc., published by E. Husband, printer to the parliament, in 1646, and in *A Collection of Acts and Ordinances*, 1658, by H. SCOBELL, at one time clerk to the house of commons. Husband also published the controversial papers exchanged between the parliament and the king between December, 1641, and March, 1643, under the title *An Exact Collection of all Declarations, Remonstrances, Ordinances*, etc. APP.

Contemporary Historians.—Clarendon's *History of the Rebellion and Civil Wars in England* is our best example of history written by a distinguished actor in the events which he records. It has long been known that this work, however valuable, is to be used with extreme caution. Many things of importance are omitted and mistakes and confusions abound. The genesis of the *History* and its relation to the *Life of Clarendon*, by himself, have been fully traced for the first time by Professor FIRTH in three articles contributed to the *English Historical Review* for 1904. He has shown that its defects are chiefly due to the times at which and the conditions under which it was written and imply no peculiar disregard of truth in the author, although a strong party bias is indisputable. The admirable edition by W. D. Macray (six volumes, Oxford, 1888) affords the only trustworthy text, and illustrates the general conclusions reached by Professor Firth.

BULSTRODE WHITELOCKE'S *Memorials of English Affairs* covers the years 1625 to 1660. The first full edition was published in 1737 and the references in the present volume are to its pages. A new edition, a mere reprint, in four volumes, appeared in 1853. The work is in form a diary. In substance it is made up of two elements. First, notices of events in which Whitelocke bore a part or of which he had first-hand knowledge, and these are numerous and important, since Whitelocke was more or less in the centre of affairs from the meeting of the long parliament to the restoration. Secondly, a compilation of news and gossip of all kinds, derived from contemporary newspapers, pamphlets, etc., useful and illustrative in many respects, but of less authority. Whitelocke was not a fervent partisan either in politics or in religion, but his extreme caution may sometimes have led him to suppress or distort matters of consequence. T. HOBBES' *Behemoth; the History of the Causes of the Civil Wars of England* (best edition by F. Tönnies, 1889) is the work of a very acute, although partial writer. THOMAS MAY, *History of the Long Parliament* (best edition that of 1853), after a brief notice of events since the death of Elizabeth, records more fully what occurred from the meeting of the

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APP. long parliament down to the first battle of Newbury. It is thus a fragment and largely concerned with military matters. It was written by the desire of the parliament and with an inevitable bias, but in a moderate tone. JOHN VICARS, *England's Parliamentary Chronicle* in three parts—I. Jehovah Jireh, II. God's Ark, III. The Burning Bush—1644-46, is useful chiefly for military history and as exhibiting the mind of a typical puritan zealot at that time. JOSHUA SPRIGGE, *Anglia Rediviva*, 1647, is a narrative of the achievements of the new model under Fairfax down to the end of the first civil war. The author was Fairfax's chaplain and his work is of considerable value. J. RUSHWORTH, *Historical Collections* (eight volumes, 1659-92), is not so much a history in the strict sense as an assemblage of speeches, state papers, pamphlets, and even newspapers loosely strung upon a thread of narrative. Hence its value. Rushworth, a barrister who filled different official positions, had the means of accurate knowledge, and his reproduction of documents may generally be trusted, although he was himself for the parliament against the king. J. NALSON'S *An Impartial Collection of the Great Affairs of State*, 1639-49 (two volumes, 1682), is a work somewhat similar in character, but containing many documents not found in Rushworth.

Contemporary Lives.—P. HEYLYN'S *Life of Laud* (*Cyprianus Anglicus*), 1668, is valuable as written by one who had exceptional means of information, and admired his hero without reserve. It also affords many glimpses of ordinary clerical feeling at that time. The DUCHESS OF NEWCASTLE'S *Life* of her husband, the Duke of Newcastle, previously Earl and Marquis of Newcastle, (best edition by C. H. Firth, 1886), gives no political and not much military information, but is an interesting picture of a great nobleman. Mrs. HUTCHINSON'S *Memoirs of the Life of Colonel Hutchinson* (best edition by C. H. Firth, two volumes, 1885) is famous as a portrait of the ideal puritan gentleman. The book illustrates the local character of the civil war, the manner in which it divided each neighbourhood, and the conditions under which it was waged. As enthusiastic republicans the Hutchinsons were unable to do justice to men of other parties, and Mrs. Hutchinson was further biassed by conjugal love. G. WISHART'S *Deeds of Montrose* (best edition by A. D. Murdoch and H. F. M. Simpson, 1893) is a principal authority for Montrose's career. The *Lives of Cromwell;* H. DAWBENY, *History and Policy reviewed in the Life of Oliver Cromwell*, 1659; S. CARRINGTON, *History of the Life and Death of Oliver Cromwell*, 1659; H. FLETCHER, *The Perfect Politician*, 1660; and J. HEATH, *Flagellum, or the Life and Death, Birth and Burial of Oliver Crom-*

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well, 1663, are all in different ways and degrees unsatisfactory. T. GUMBLE'S *Life of Monk*, 1671, is valuable for its account of the events leading to the restoration. It should be compared with J. PRICE'S *Mystery and Method of His Majesty's Happy Restoration*, 1680, and with T. SKINNER'S *Life of Monk*, 1723. APP.

THOMAS FULLER'S *Worthies of England*, 1662, ANTHONY WOOD'S *Athenæ Oxonienses* (best edition by P. Bliss, four volumes, 1813-20), JOHN AUBREY'S *Brief Lives of Eminent Men* (best edition by A. Clark, two volumes, 1898), contain much miscellaneous information about notable persons in this period.

Autobiographies, Memoirs, Diaries, etc.—*The Life of Lord Herbert of Cherbury*, written by himself (best edition by Sidney L. Lee, 1886), illustrates the ideas and manners of the nobility as well as the methods of diplomacy and the habits of diplomatists. The *Autobiography of Sir Simonds d'Ewes*, which ends unfortunately in 1636, edited by J. O. Halliwell (two volumes, 1845), gives the record of a puritan country gentleman, somewhat narrow in his views, but studious, a learned antiquary and full of interest in politics. LUDLOW'S *Memoirs* (best edition by C. H. Firth, two volumes, 1894; the references in the present volume are to its pages) are of the utmost value for the years 1640-60. They afford much information about the civil war in the south of England, about the conquest of Ireland, and about the interval between Oliver's death and the restoration. Ludlow is the very type of the inflexible republican, brave and honest, although *doctrinaire* and shortsighted. *The Diary of Sir Henry Slingsby*, edited by D. Parsons, 1836, short and artless, gives a glimpse of the life and way of thinking of the ordinary cavalier squire. *The Memoirs of Captain Hodgson*, edited by H. Turner, 1882, afford a companion picture of what Carlyle calls "an honest-hearted, pudding-headed Yorkshire puritan."

The Autobiography of Sir John Bramston, edited for the Camden Society by Lord Braybrooke, 1845, is of some use for this period, although more useful for the period following the restoration. More or less autobiographical are the *Memorial of Denzil Lord Holles* (reprinted in the *Maseres Tracts*), illustrating the temper and policy of the Presbyterian party in the long parliament, and the *Short Memorials of Fairfax* (also reprinted in the *Maseres Tracts*), dealing with his own part in the civil war, and the events following down to the execution of Charles I. The *Memoirs of Sir John Berkeley* (reprinted in the *Maseres Tracts*), *John Ashburnham's Narrative* of his attendance on Charles I., edited by his descendant, 1830, and Sir THOMAS HERBERT'S *Memoirs*, afford materials for a life of Charles I. See also *Charles*

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APP. *I. in* 1646, *Letters of King Charles the First to Queen Henrietta Maria*, edited by J. Bruce for the Camden Society, 1856, and *Letters of Queen Henrietta Maria*, edited by Mrs. Everett Green, 1857.

Clarendon's Life, by himself (best edition, two volumes, Oxford, 1857), was largely used by the author in composing his history, but there remain a few passages of historical interest. BUNYAN'S *Grace Abounding*, 1666, and GEORGE FOX'S *Journal*, 1694, are spiritual autobiographies, and as such illustrate certain aspects of puritanism. *Evelyn's Diary* (best editions by H. B. Wheatley, four volumes, 1906, and by Austin Dobson, three volumes, 1906), besides the picture of an accomplished gentleman gives some information of the condition of the royalist and Anglican party under the commonwealth and protectorate. *Pepys' Diary* (best edition by H. B. Wheatley, ten volumes, 1893-99) contains many particulars about the time immediately preceding the restoration.

Biographies of more recent date containing a large proportion of original matter:—

J. SPEDDING'S *Letters and Life of Lord Bacon* (seven volumes, 1868-74) is most valuable as collecting all that remains of Bacon's writings and speeches on political subjects. The biographical part, learned and careful, manifests an inability to see any fault in Bacon or in James I.

T. D. WHITAKER, *Life and Original Correspondence of Sir George Radcliffe*, 1810, is valuable as well on other grounds as for what it tells about Strafford.

CARLYLE'S *Letters and Speeches of Oliver Cromwell* is at once a collection of original documents and a biography distinguished by Carlyle's deep sympathy with puritanism and with Cromwell, but suffers from his imperfect knowledge of the period and his constant endeavour to wring a moral out of the facts. The latest edition by Mrs. Lomas (three volumes, 1904) adds everything that can be traced in the way of letters or speeches, and an introduction by Professor Firth shows to what extent Carlyle may be trusted as a biographer.

Pamphlets and Newspapers.—In this period newspapers were small, and were chiefly what their name implies: means of circulating the news of the day. Serious discussion of current topics was mostly carried on by pamphlets. These multiplied after the suppression of the Star Chamber, and it is said that 25,000 were published between 1640 and 1660. The Thomasson collection in the British Museum contains some 21,000. Prynne is said to have written 160 tracts and Lilburne 100. Various collections have been printed from time to time, such as the *Phœnix* (two volumes, 1707), the *Harleian*

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Miscellany, edited by T. Park (ten volumes, 1808-13), and the *Somers Tracts*, edited by Sir Walter Scott (thirteen volumes, 1809-15), in which pamphlets of this period may be found. The *Select Tracts Relating to the Civil Wars*, edited by F. Maseres (two volumes, 1815), are not for the most part pamphlets in our sense, but short autobiographies, etc. Of this immense pamphlet literature, the only writings that remain well known are Milton's, but their influence at the time may easily be overrated. APP.

Newspapers were multiplied after the meeting of the long parliament, and still more after the outbreak of the civil war. About 170 were set on foot between 1642 and 1649 (see list given by Nicholls, *Literary Anecdotes*, iv., 33 *et seq.*), but many had a brief career. Among the most notable were *Mercurius Aulicus* and its successor *Mercurius Academicus*, royalist organs, edited by P. Heylyn abovementioned and John Birkenhead; *Mercurius Britannicus*, *Mercurius Pragmaticus* and *Mercurius Politicus*, all edited by Marchmont Needham, the first taking the side of the parliament, the second that of the king, and the third an official paper of the commonwealth; the *Moderate Intelligencer*, an organ of the independents, and the *Moderate*, an organ of the levellers. After the establishment of the commonwealth the freedom of the press was curtailed and newspapers dwindled, until under the protector only two official journals survived. See A. ANDREWS, *History of British Journalism* (two volumes, 1855), and H. R. FOX BOURNE, *English Newspapers* (two volumes, 1887).

Foreign Affairs.—In the original authorities information on foreign affairs is for the most part mixed with other matters. Some diplomatists (see above) have left accounts of their own labours, and in a few cases their letters have been printed, *e.g.*, Sir DUDLEY CARLETON'S *Letters*, published 1755, Sir HENRY WOTTON'S *Letters and Despatches*, published 1850, etc. BULSTRODE WHITELOCKE'S *Journal of the Swedish Embassy*, edited by H. Reeve (two volumes, 1855), gives much information about the methods of diplomacy, the hardships suffered by diplomatists, and the merits of Bulstrode Whitelocke. Treaties are given in Dumont's *Corps Universel Diplomatique*, 1726-31. Among modern writers Ranke and Gardiner have done most in this department. Sir J. R. SEELEY'S *Growth of British Policy* (two volumes, 1887) is able and interesting, although not founded on exhaustive knowledge nor always accurate.

Naval History. — *The Voyage to Cadiz in* 1625, ed. by Dr. Grosart for the Camden Society, and *Letters and Papers Relating to the First Dutch War*, edited for the Navy Records Society by S. R. Gardiner and C. T. Atkinson (three volumes published, 1898, etc.).

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APP. Among modern books M. OPPENHEIM's *History of the Administration of the Royal Navy*, vol. i., is extremely useful. Sir W. LAIRD CLOWES' *History of the Royal Navy*, vol. ii., 1603-1714, is the fullest general work on the subject. Professor LAUGHTON's lives of distinguished seamen in the *Dictionary of National Biography* are valuable.

Military History.—In the original authorities military history is often mixed with other topics. RICHARD SYMONDS' *Diary of the Marches of the Royal Army*, edited by C. E. Long for the Camden Society; *Hopton's Narrative of His Campaign in the West*, edited by C. E. H. Chadwyck-Healy, for the Somerset Record Society, 1902, and the *Memorials of the Great Civil War*, edited by H. Cary (two volumes, 1842), are useful. So also is the *Narrative of General Venables* and other papers relating to the Jamaica expedition of 1655, edited by C. H. Firth for the Camden Society, 1900. Something may be got from the *Clarke Papers*, although these are chiefly concerned with politics. Among modern books C. H. FIRTH's *Cromwell's Army*, 1902, at once affords a large store of information and makes an excellent introduction to the military literature of the seventeenth century, which is considerable. See also his papers in the *Transactions of the Royal Historical Society*—"The Raising of the Ironsides," N.S., xiii. (1899); "The Later History of the Ironsides," N.S., xv. (1901); "The Royalist and Cromwellian Armies in Flanders," N.S., xvi. (1902); "Marston Moor," N.S., xii. (1898); "The Battle of Dunbar," N.S., xiv. (1900). F. GROSE, *Military Antiquities*; Sir S. SCOTT, *The British Army*; J. W. FORTESCUE, *History of the British Army*; and Colonel BALDOCK, *Cromwell as a Soldier*, 1899, may be consulted with advantage. See also W. B. DEVEREUX, *Lives and Letters of the Devereux, Earls of Essex* (two volumes, 1853); C. MARKHAM, *Life of the Great Lord Fairfax*, 1870; and R. BELL, *The Fairfax Correspondence* (two volumes, 1849). E. WARBURTON's *Memoirs of Prince Rupert and the Cavaliers* (three volumes, 1849) owe all their value to the original documents which they contain.

Church History.—Of the older Church histories the most important are THOMAS FULLER's *Church History of Britain* (best edition by J. S. Brewer, six volumes, 1845), and JEREMY COLLIER's *Ecclesiastical History of Great Britain* (best edition by T. Lathbury, nine volumes, 1852). The best modern work is the *History of the English Church* (six volumes), edited by W. Hunt and W. R. W. Stephens. The volume dealing with the reigns of Elizabeth and James I. is by W. H. FRERE, 1903, that dealing with the later Stuart reigns is by W. H. HUTTON, 1904. The point of view is decidedly Anglican. See

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also *The Life of Laud*, by W. H. HUTTON, 1895. W. A. SHAW'S *English Church during the Civil War and under the Commonwealth* (two volumes, 1900) is a most laborious and useful work. See also, by the same writer, *Minutes of the Manchester Presbyterian Classis*, edited for the Chetham Society, 1890-91, and *Minutes of the Committee for the Relief of Plundered Ministers, etc., Relating to Lancashire and Cheshire*, edited for the Lancashire and Cheshire Record Society (two volumes, 1893-97). The Library of Anglo-Catholic Theology (eighty-one volumes, 1843-60) contains the works of all the most noteworthy divines of the Arminian school, among which LAUD'S *Works* (six volumes) are the most important for general history.

HEYLYN'S *Life of Laud*, J. HACKET'S *Life of Williams*, IZAAK WALTON'S *Life of George Herbert*, 1670, are all instructive. See also JOHN WALKER'S *Sufferings of the Clergy in the Great Rebellion*, 1714.

For the puritan side D. NEALE'S *History of the Puritans* (four volumes, 1732-38), R. BAXTER'S *Remains*, 1696, *The Minutes of the Westminster Assembly*, edited by A. Mitchell and J. Struthers, 1874, are useful. *Robert Baillie's Letters and Journals*, edited by D. Laing (three volumes, Edinburgh, 1841), are concerned mostly with Scottish affairs, but they are a principal authority for the relations between the English and the Scottish puritans, and for the influence which the Scots exercised upon English history under Charles I. and subsequently.

Modern Historians.—S. R. GARDINER'S *History of England*, 1603-42 (ten volumes); *History of the Great Civil War* (four volumes), and *History of the Commonwealth and Protectorate* (four volumes) cover the period from 1603 to 1656. They are of the highest value. Gardiner may be termed the greatest of English historical investigators. His industry, his skill in sifting evidence, his constant endeavour to find the truth and do justice to all historical personages are alike admirable. He was the first to perform that work of research without which the history of the period could not be put upon a sound basis, and he has thus rendered obsolete all previous histories. He has done especial service in elucidating English foreign relations, and the growth of political ideas during the first half of the seventeenth century. Grave defects of style and arrangement will always repel the general reader from these monumental works. Gardiner's judgments upon individuals are sometimes difficult to accept.

L. VON RANKE'S *Englische Geschichte* (seven volumes, 1859-69) (English translation, edited by C. W. Boase and G. W. Kitchin, six volumes, 1875, etc.) affords, next to Gardiner's works, the most elaborate account of this period. Ranke's knowledge of international

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APP. relations was consummate, and his treatment of English foreign policy is therefore highly instructive. As a foreigner he did not share the party feelings, political or religious, of Englishmen, and his treatment of internal history is therefore impartial. For the same reason much is an object of learned research to him which is obvious to an English historian.

Professor MASSON'S *Life of Milton*, narrated in connexion with the history of his time (six volumes, 1859-80), is as much a history of England as a life of the poet, and is a work of much labour and knowledge, particularly valuable for the events of those years when Milton was a servant of the state. It exhibits a strong puritan tinge. F. A. INDERWICK'S *The Interregnum*, 1891, is valuable for the history of law and institutions between 1649 and 1660.

HALLAM'S *Constitutional History of England* still remains valuable for the seventeenth century, although his unenthusiastic temperament and his Whig cast of thought hindered his full comprehension of the ecclesiastical and political conflicts of that time. The best general analysis of that system of government which the Stuarts inherited from the Tudors is to be found in the introduction to G. W. PROTHERO'S *Select Statutes and other Constitutional Documents Illustrative of the Reigns of Elizabeth and James I.*, third edition, 1906. See also Miss C. L. A. SCOFIELD, *A Study of the Court of Star Chamber* (published by the Chicago University Press, 1900), and Miss C. A. J. SKEEL'S learned monograph, *The Council in the Marches of Wales*, 1904.

The best history of the English colonies in the new world during this period is J. A. DOYLE'S *History of the English in America* (five volumes, 1882-1907), and the fullest account of the English in India is given in HUNTER'S *History of British India* (two volumes, 1899-1900). For the economic history of the period THOROLD ROGERS' *History of Agriculture and Prices* (six volumes, 1866-87), and W. CUNNINGHAM'S *Growth of English Industry and Commerce in Modern Times*, 1903, are the principal works of reference.

J. H. BURTON'S *History of Scotland* (eight volumes, 1873) still retains its place as a standard work, but the more recent histories by P. Hume Brown (two volumes, 1899-1902) and by A. Lang (four volumes, 1900-7) must be read also. Each of these valuable works displays a different bias, so that they correct each other. See too C. H. FIRTH'S *Scotland under the Commonwealth* and *Scotland under the Protectorate*, both published for the Scottish Historical Society, and C. S. TERRY'S *Life and Campaigns of Alexander Leslie*, 1899, and *Cromwellian Union of Scotland with England*, published for the Scottish Historical Society, 1902.

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Ireland.—In addition to the authorities already quoted, Sir J. DAVIS, *A Discovery of the State of Ireland*, 1612; V. GOOKIN, *The Great Case of Transplantation in Ireland Discussed*, etc., 1655; Sir W. PETTY'S *Political Anatomy of Ireland*, 1691; the *Lismore Papers*, edited by A. Grosart (ten volumes, 1886-88); T. CARTE, *History of the Life of James, Duke of Ormond* (three volumes, 1736); J. T. GILBERT, *Aphorismical Discovery of Treasonable Faction*, or *A Contemporary History of Affairs in Ireland*, 1641-52 (six parts, 1879-80), and *History of the Irish Confederation*, etc. (seven volumes, 1882-91), are noteworthy. Among modern books may be noted G. HILL'S *Historical Account of the Plantation in Ulster*, Belfast, 1877; Miss M. HICKSON, *Ireland in the Seventeenth Century* (two volumes, 1884); MRS. TOWNSHEND, *Life and Letters of the Great Earl of Cork*, 1904. C. LITTON FALKINER'S *Illustrations of Irish History and Topography*, 1904; Lord FITZMAURICE'S *Life of Sir William Petty*, 1895; J. P. PRENDERGAST'S *Cromwellian Settlement*, second edition, 1870, are all useful, but there is no general history of Ireland in the seventeenth century adequate at once in scale and in research.

Modern Biographies.—Among these may be noted W. STEBBING, *Life of Sir Walter Raleigh*, second edition, 1899; M. A. S. HUME, *Life of Sir Walter Raleigh*, 1897; J. FORSTER, *Life of Sir John Eliot* (two volumes, 1864); S. R. GARDINER, *Oliver Cromwell*, 1899; C. H. FIRTH, *Oliver Cromwell and the Rule of the Puritans in England*, 1900; Sir R. PALGRAVE, *Oliver Cromwell, the Protector*, 1890. The lives of persons of note in this period contributed by GARDINER and FIRTH to the *Dictionary of National Biography* are especially useful both on their own account and for the bibliographies annexed.

The *Memoirs of the Verney Family*, edited by F. P. and M. M. Ladies Verney (four volumes, 1892-99), enable us to follow in detail the life of a leading county family for many years of this period, and incidentally shed much light on political, social and economic history.

Political Theory.—The *Works of King James I.*, 1616; MILTON'S political pamphlets generally; J. HARRINGTON'S *Oceana*, 1656; R. FILMER'S *Observations Concerning the Original of Government*, 1652, and his *Patriarcha* (not published until 1680); the treatises of T. HOBBES, *De Cive*, 1647, and *Leviathan*, 1651, should be studied. A good sketch of the political speculation of this time will be found in W. A. DUNNING, *A History of Political Theories from Luther to Montesquieu*, 1905.

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INDEX.

Abbot, George, Bishop of London, his early history and appointment as Archbishop of Canterbury, 42; his conduct in the divorce of the Countess of Essex, 64; uses his influence with the queen on behalf of George Villiers, 72; his advice to Richard Montagu, 133; forbidden to take his place in the house of lords, 147; deprived of his jurisdiction for refusing to license Dr. Sibthorpe's sermon, 153; allowed to resume his jurisdiction, 170; dies, 176.

Aberdeen, general assembly of Kirk at, prorogued, 51; general assembly held there in 1616, 87; Montrose's victory at, 314.

Abingdon, 295.

Acadia, the French colony of, 422, 435.

Adamites, 250.

Addled parliament, the, 69.

Address and remonstrance, the, 445. See Petition and Advice.

Adwalton Moor, battle of, 281.

African company, the, 17.

Agitators, the, 327, 333, 356.

Agreement of the people, the, 333.

Albert, the Archduke, 8.

Alexis, Tsar of Russia, 452.

Alford, battle of, 315.

Altham, Sir James, a baron of the exchequer, joins in Coke's opinion regarding proclamations, 40.

Alyth, 375.

Amboyna, the massacre of, 389, 419.

Andrewes, Lancelot, Bishop of Ely, concerned in Legate's case, 62; a commissioner for Essex divorce case, 64.

Anglo-Catholic movement, the, 129.

Anne, Queen of England, daughter of Frederick II. of Denmark, marries James VI. of Scotland, 2; her inclination to catholicism, 18; wishes her son Henry to marry a Spanish princess, 22; uses her influence on behalf of Villiers, 32; her death, 124.

Anstruther, Sir Robert, 94, 167.

Ante-nati, the, proposal to naturalise in England, 34.

Antigua, 379.

Antinomians, 250.

Antrim, Randal Macdonell, Earl of, 252, 313.

Apology of the commons, the, 15-17.

Appello Cæsarem, theological treatise by Richard Montagu, 133.

Aremberg, Count of, 8, 21.

Areopagitica, a pamphlet by Milton, 383.

Argyle, Archibald Campbell, Earl of, becomes the leader of the Scottish resistance to Charles I., 209; proposals of his friends, 222; is accused of treason by Montrose, 246; supreme in Scotland, 249; is created a marquis, 250; defeated by Montrose at Inverlochy, 315; resolves that Charles must not come to Edinburgh, 325; overborne by Hamilton in parliament, 337; regains power after the defeat of Hamilton, 342; corresponds with royalist leaders, 357; makes offers to Charles II., 365; will not ally himself with the Hamilton party or join in the invasion of England, 373; submits to the English parliament, 375.

Arminians, the, 128.

Armyn, Sir William, 246.

Articles of Perth, the, 87, 209.

Arundel Castle, 292.

Ascham, Anthony, the English resident at Madrid, murdered, 387.

Ashburnham, John, 321, 334.

Ashburnham, William, 237.

Aske, John, 445.

Assembly of Divines, the Westminster, 291, 349, 384-385.

Assessments, the monthly, 284, 382, 393, 401, 425, 427.

Astley, Sir Jacob, commands the king's foot, 274; at the battle of Naseby, 310; defeated and made prisoner at Stow in the Wold, 320.

Aston, Sir Arthur, 361, 362.

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Athlone, 376.
Augsburg, treaty of, 89.
Auldearn, battle of, 315.
Authorised version of the Bible, the, 11.
Axtell, Daniel, colonel, 347.
Aylesbury, 281.
Ayr, 415.
Ayscue, Sir George, 380, 392, 393.

Baas, Paul, Baron de, 421, 422.
Bacon, Francis, urges forbearance towards puritans, 10; in favour of closer union with Scotland, 34; asserts the right of the crown to levy impositions, 40; his early history, 58; appointed solicitor-general and attorney-general, 59; his character and political opinions, 60; advice to James I. regarding the new parliament, 67; activity in Peacham's case, 71; appointed lord keeper, 76; his relations with Buckingham and Coke, 77; appointed lord chancellor and created Baron Verulam and Viscount St. Alban's, 77; justifies proceedings against Raleigh, 82; his action with regard to the monopoly of gold and silver thread, 96; charged with judicial corruption, 98; his confession, 99; his sentence, 100; his punishment remitted by the king, 100.
Baillie, William, 315.
Balfour of Burleigh, Lord, 314, 315.
Balfour, Sir William, appointed lieutenant of the Tower, 239; his conduct at Edgehill, 275; at Lostwithiel, 300.
Balmerino, John Elphinstone, Lord, 175, 207.
Bamfield, John, colonel, 337.
Banbury, 276, 301, 356.
Bancroft, Richard, Bishop of London, takes part in the Hampton Court conference, 11; becomes Archbishop of Canterbury and insists on the clergy subscribing the canons of 1604, 20; dies, 42.
Barbados, island of, 341, 375, 379, 380, 431.
Barebone, Praise-God, 399.
Bärwalde, treaty of, 167.
Basilicon Doron, treatise by James I., 4.
Basing House, 301, 313.
Basingstoke, 301.
Bastwick, John, condemned in the Star Chamber, 188; released by the long parliament, 229.
Bate, John, case of, 36.
Bates, Thomas, 26, 29, 30.
Bath, 282, 312.
Batten, William, vice-admiral, 338.
Baydes, Marquis of, 438.
Baynham, Sir Edward, 27.
Beaumont and Fletcher, 125.
Bedford, Francis Russell, fourth Earl of, 223.
Bedford, William Russell, fifth Earl of, 247, 277.
Belfast 360.
Benburb, battle of, 327.
Bergues, 456.
Berkeley, Sir John, besieges Taunton, 309; governor of Exeter, 319; intermediary between Charles and the officers of the army, 331; accompanies Charles in his flight from Hampton Court, 334.
Berkeley, Sir Robert, a justice of the king's bench, 184; impeached, 247.
Bermudas, the, 379.
Berry, James, major-general, 468.
Berwick, Charles I. at, 212; treaty of, 213; surprised by the royalists, 339; restored to the parliament, 342; Monk at, 473.
Biddle, John, 385, 411.
Bilson, Thomas, Bishop of Winchester, a commissioner for the Essex divorce case, 64.
Bishop's war, the first, 211-213; the second, 220-225.
Blackheath, 481.
Blainville, Sieur de, 143.
Blair Atholl, 314.
Blake, Colonel Robert, one of the generals at sea, blockades Rupert in Kinsale harbour, 360; pursues him to Lisbon and subdues the Scilly Isles, 378; summons Tromp to strike his flag, 391; captures the Dutch herring fleet, 392; gains battle of the Kentish Knock and loses battle of Dungeness, 393; gains battle of Portland and destroys a French fleet, 394; a member of the little parliament, 399; gains battle of the Gabbard, 405; is sent with a fleet to the Mediterranean, 432; destroys Tunisian ships at Porto Farina, 433; cruises off Cadiz, 438; destroys a Spanish fleet at Santa Cruz, 449; dies, 450.
Bodmin, 277.
Bolingbroke, Oliver St. John, Earl of, 223.
Bolton-le-Moors, 375.
Bolton stormed by Rupert, 297.
Book of Common Order, Knox's, 176, 205.
Book of Rates, new in 1608, 37.
Booth, Sir George, 469.
Bordeaux, city of, 406, 407.

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Bourchier, Elizabeth, wife of Oliver Cromwell, 408.
Boyne, river, 362.
Braddock Down, battle of, 279.
Bradford, William, 108.
Bradshaw, John, president of the high court of justice, 347; president of the council of state, 353; protests against its expulsion by Cromwell, 398; in the first parliament of the protectorate, 425; in the second, 440.
Brandenburg, Electoral Prince of, claims succession of Cleves, 54.
Brandenburg, Frederick William, Elector of, 435, 436, 452, 456.
Breda, siege of, 123; treaty of, 365; declaration from, 478.
Brentford, 276.
Brereton, Sir Thomas, commander of the parliamentary forces in Cheshire, gains the battle of Nantwich, 294; raises the siege of Chester, 309.
Brickhill, 281.
Bridgwater taken by Fairfax, 312.
Brighthelmstone, 375.
Bristol taken by Rupert, 283; retaken by Fairfax, 312.
Broghill, Roger Boyle, Lord, 363, 364, 444, 463.
Brooke, George, 7, 9.
Brooke, Robert Greville, Lord, refuses an oath tendered by Charles, 213; signs the petition for calling a parliament, 223.
Brotherly assistance, the, 232.
Brown, Sir John, 373.
Brownists, the, 231.
Broxburn, the, 370.
Broxmouth House, 370.
Brussels, treaty of, 430.
Buckeridge, John, Bishop of Rochester, concerned in case of Legate, 62; commissioner for Essex divorce case, 64.
Buckingham, Countess of, 170.
Buckingham, Duke of. See Villiers, George.
Bucquoi, General, 92.
Burford, 356.
Burghley, William Cecil, Lord, 10, 58.
Burroughs, Jeremiah, 303.
Burton, Henry, condemned in the Star Chamber, 188; released by the long parliament, 229.
Butler, Sir Walter, 364.
Bye plot, the, 7.
Byrnes, clan of the, 194.
Byron, Sir John, appointed lieutenant of the Tower, 258; occupies Oxford and Worcester for Charles I., 274; at Newbury, 286; is created Lord Byron and commands for Charles in Cheshire, 292; defeated at Nantwich, 294; commands right wing at Marston Moor, 298.
Byron, Sir Nicholas, 286.

Cadiz, 135, 136, 378, 433, 437, 438.
Caerlaverock Castle, 211.
Caguaya, bay of, 432.
Callander, James Livingstone, Earl of, 339-340.
Calvert, Sir George, 84, 95, 104, 105; is created Lord Baltimore and founds colony of Maryland, 379.
Calvin or Colville, Robert, case of, 35.
Cambrai, 451.
Cambridge, the university of, 187, 322.
Campbell, Sir Duncan, 315.
Canons of 1604, 19; of 1640, 220.
Canons, Scottish, book of, 204.
Capel, Lord, 308, 354.
Carbisdale, 366.
Cardenas, Alonzo de, ambassador of Philip IV., 360, 394, 422, 434.
Carey, Sir George, lord deputy of Ireland, 44.
Carisbrooke Castle, 334, 335, 336, 337.
Carleton, Sir Dudley, is created Viscount Dorchester and appointed secretary of state, 166; dies, 177.
Carlisle, James Hay, Earl of, 119.
Carlisle, surprised by the royalists, 339; restored to the parliament, 342.
Carnarvon, Robert Dormer, Earl of, 286.
Carnwath, Robert Dalzell, Earl of, 310.
Carr, Robert, attracts notice of James and is created Viscount Rochester, 63; and Earl of Somerset, and marries Frances Howard, Countess of Essex, 65; is charged with the murder of Overbury, 73; is found guilty, but receives a pardon, 74.
Carrickfergus, 360.
Carver, John, 108.
Cary, Sir Robert, 5.
Casaubon, Isaac, 62.
Case of the Army truly stated, the, 333.
Case, Thomas, 373.
Castle, Cornet, 377, 379.
Catesby, Robert, conceives plan of blowing up the parliament house, 25; his preparations, 26; scheme for an insurrection, 27; flight and death, 29.
Catholic League of German princes, 54, 93.
Cautionary towns, treaty for the restitution of, 79.
Cavalier and Roundhead, 258.
Cavendish, Charles, 281-282.
Cawood, 297.

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Cecil, Sir Edward, commands English contingent in the affair of Cleves and Juliers, 54; is created Viscount Wimbledon and entrusted with the command of the expedition against Spain, 134; attacks Cadiz without success, 135-136.
Cecil, Sir Robert, secretary of state, and created Baron Cecil of Essendon, 5; one of Raleigh's judges, 8; one of the negotiators of the treaty of peace with Spain, 21; accepts a pension from Spain, 22; created Viscount Cranborne, 22; Earl of Salisbury, 24; informed of the Gunpowder plot, 28; lord treasurer, 37; fails to negotiate suppression of military tenures with the house of commons, 41; dies, 57.
Chaderton, Lawrence, 10.
Chalgrove Field, skirmish of, 280.
Chaloner, Richard, 283.
Chambers, Richard, 159, 184.
Chancery, the court of, 386, 400, 413
Chard, 282.
Charles I., Prince of Wales, a Spanisn marriage thought of for, 77; his friendship with Buckingham, 110; they plan a visit to Madrid, 110; extort the king's consent, 111; reach Madrid, 112; Charles signs the marriage treaty, 114; leaves Spain resolved to break it off, 115; desires a war with Spain, 116; succeeds to the throne, 126; Charles I.'s characteristics, 126; religious beliefs, 130; marries Henrietta Maria, 131; calls a parliament, 132; dissolves it, 134; his misunderstanding with Louis XIII., 137; calls a second parliament, 139; protects Buckingham against the commons, 141; dissolves the parliament, 142; goes to war with France, 143; calls a third parliament, 146; accepts the Petition of Right, 151; further disputes with the commons, 160; dissolves the parliament, 161; determines not to call another, 163; makes peace with France, 166; with Spain, 167; his policy in Scotland, 174-176; towards Roman catholics, 190-193; his personal government, 201; sanctions book of canons and service book for Scotland, 204; tries to punish the resistance of Edinburgh, 206; offers concessions, 208; prepares to invade Scotland, 210; advances to the border, 212; makes the treaty of Berwick, 213; calls an English parliament, 215; dissolves it. 218; his difficulties, 221; calls a great council at York, 223; calls a parliament and accepts the treaty of Ripon, 225; tries to hinder the prosecution of his ministers, 229; makes concessions, 233; tries to save Strafford, 239; assents to the bill of attainder, 241; goes to Scotland, 247; his ill success there and his return, 250; his answer to the grand remonstrance, 257; his impeachment of the five members, 259; his visit to the commons, 261; leaves London, 263; consents to bishops' exclusion bill, 264; goes to York, 265; prepares for war, 267; raises his standard at Nottingham, 268; fights battle of Edgehill, 275; takes up winter quarters at Oxford, 276; rejects the propositions of the parliament, 279; besieges Gloucester, 285; fights battle of Newbury, 286; makes cessation of arms with the Irish, 288; gains battle of Cropredy Bridge, 296; reduces army of Essex to surrender at Lostwithiel, 300; fights second battle of Newbury, 302; rejects the parliamentary proposals, 304; leaves Oxford for the north, 309; loses battle of Naseby, 311; of Rowton Heath, 313; sends Glamorgan to negotiate with the Irish, 317; goes to the Scottish army, 321; rejects propositions of Newcastle, 324; is surrendered to the English parliament, 325; is carried off to the army, 329; evades the Heads of the Proposals, 333; leaves Hampton Court and goes to Carisbrooke Castle, 334; signs the engagement, 335; his negotiation with the parliament at Newport, 343; brought up to Windsor, 346; his trial, 347-348; his execution, 349.
Charles II., gives Montrose his commission and fails to make terms with the Scottish commissioners, 358; signs the treaty of Breda, 365; and the treaty of Heligoland, and goes to Scotland, 367; flees from Perth, 371; is crowned at Scone, 372; invades England, 373; is defeated at Worcester, 374; escapes to France, 375; sends Cottington and Hyde on an embassy to Philip IV., 387; prompts a rising in England, 428; leaves Paris and settles at Cologne, 439; makes a treaty with Philip IV., settles at Bruges and collects troops, 439; takes part in an attempt on Mardyke, 451; hopes for a rising in England, 454; prepares to

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land in England, 469; removes to Breda and puts forth his declaration, 478; returns to England, 481.
Charles X., King of Sweden, 435, 436, 451, 456, 468.
Charles Emmanuel II., Duke of Savoy, 434-435.
Charles Lewis Elector Palatine (son of Frederick), 167, 225.
Chepstow Castle, 337.
Cheriton, battle of, 295.
Cherwell, river, 296.
Chester, city of, 309, 313.
Chichester, Sir Arthur, lord-deputy of Ireland, 44; his policy of pacifying the country, 45; severity against recusants, 45; scheme for a plantation in Ulster, 46; his advice disregarded, 48; calls a parliament, 86; is recalled, 87.
Cholmley, Sir Hugh, 280.
Christian IV., King of Denmark, 124, 130, 138, 143, 145, 166.
Christina, Duchess of Savoy, 434-435.
Christina, Queen of Sweden, 420.
Christina, sister of Louis XIII., 77.
Church of England, attempt to remodel on presbyterian principles, 384-385; Owen's project for a new remodelling, 385; Cromwell's re-organisation of, 410-411.
Cirencester, 279, 285.
Clanricarde, Ulick de Burgh, Marquis of, 376.
Clarges, Dr., 472.
Clarke, Robert, baron of the exchequer, his judgment in Bate's case, 36.
Clarke, William, 7, 9.
Classes, Act of, 357, 372.
Claypole, John (Lord Claypole), 444, 458.
Clement VIII., Pope, 24.
Cleves and Juliers, duchies of, 54, 78.
Clifton, Richard, 107.
Clonmacnoise, 363.
Clonmel, 364.
Cobbett, Colonel, 471.
Cobham, Henry Brooke, Lord, takes part in Main plot, 8; is condemned, reprieved and dies in the Tower, 9.
Cockburnspath, 369.
Coke, Frances, 77.
Coke, Sir Edward, attorney-general, language of, at Raleigh's trial, 9; opposes bill for throwing open the foreign trade, 18; chief justice of the common pleas, asserts right of common law judges to fix bounds of other jurisdictions, 38; his opinion regarding proclamations, 40; chief justice of the king's bench, his opinion in Peacham's case and protest against "auricular and particular" taking of the judges' opinions, 71; charged with the inquiry into the death of Overbury, 73; in conflict with James I., 75; dismissed from his office, 76; his relations with Buckingham, 77; a member of the house of commons, 94; his motion against Michell, 97; attacks the King of Spain, 104; is imprisoned, 106; elected to parliament of 1624, 117; to parliament of 1625, 132; made a sheriff to prevent his re-election, 138; denounces Buckingham in parliament of 1628, 151.
Coke, Sir John, 133, 166, 215.
Coke, Thomas, 373.
Colchester, 338, 341.
Coleraine, county of, granted to the city of London, becomes known as Londonderry, 48.
Colnbrook, 276, 285.
Commendams, case of, 75.
Condé, Prince of, 388, 406, 435, 437, 439, 451, 455.
Conn, George, 192.
Connaught plantation, the, 196.
Connecticut, 379.
Conway, Viscount, 220, 223.
Cony, George, 429.
Convocation of 1604, 19; of 1606, 32; of 1640, 220.
Cook, John, 347.
Cooper, Anthony Ashley, a member of the little parliament, 399; joins the republican party, 440; attacks the new house of lords, 453; and the title of the Protector Richard, 465.
Copley, Anthony, takes part in the Bye plot, 7; is condemned and banished, 9.
Corbet, Sir John, 145.
Cork, 363.
Cork, Richard Boyle, Earl of, 195.
Corkbushfield, meeting at, 335.
Corstorphine, 369.
Cosin, John, 129.
Cottington, Francis, opposes the prince's visit to Madrid, 111; chancellor of the exchequer, 165; sent by Charles I. as ambassador to Philip IV., 166; controversy with Laud, 181; secretly a Catholic, 193; sent by Charles II. as ambassador to Philip, 387.
Cotton House, Westminster, 347.
Council of the north, the, 155, 168, 169, 242.
Council of state, erected, 353; a new one established, 378; another nominated by the little parliament, 400;

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constitution of, under the instrument of government, 403; modified by the advice and remonstrance, 445; a new one named, 468; another, 475; another, 476.
Council of Wales, the, 38, 242.
Courten, Sir William, 379.
Covenant, the Scottish National, 207.
Coventry, Sir Thomas, appointed solicitor-general, 76; lord keeper, 138; dies, 215.
Cowell, Dr., 38, 39.
Cranborne, Viscount. See Cecil, Robert.
Cranfield, Lionel, in the king's service, 85; created Baron Cranfield, appointed treasurer and created Earl of Middlesex, 103; at variance with Buckingham, 118; his impeachment and sentence, 119.
Crawford, Ludovick Lindsay, Earl of, 249.
Crawley, Francis, a justice of the common pleas, 184.
Créqui, Duke of, 457.
Crewe, Sir Randal, lord chief justice, dismissed, 142.
Croke, Sir George, a justice of the king's bench, 183, 184.
Croke, Unton, captain, 428.
Cromwell, Bridget, 458.
Cromwell, Elizabeth, 458.
Cromwell, Frances, 458.
Cromwell, Henry, a member of the little parliament, 396; lord deputy in Ireland, 418, 458; resigns his office, 467.
Cromwell, Mary, 458.
Cromwell, Oliver, returned to parliament of 1628 and to the short parliament, 216; promotes root and branch bill, 243; his remarks on the soldiers of the parliament, 272; raises the Ironsides, 278; victorious at Gainsborough, 282; at Winceby, 291; at Marston Moor, 298; his quarrel with Manchester, 301; accuses him in the commons, 303; a proposal to accuse, 304; is sent against Oxford, 309; is named lieutenant-general and helps to gain the battle of Naseby, 310; is employed to appease the soldiers, 328; becomes the political leader of the army, 329; is in favour of allowing Charles a personal treaty, 333; turns against Charles, 335; is sent against the Welsh rebels, 337; against Hamilton, 339; defeats the Scots at Preston, 340; comes to an understanding with Argyle, 342; declares his approval of Pride's Purge, 345; a member of the high court of justice, 348; quells the mutineers at Burford, 356; is made commander-in-chief and governor of Ireland, 360; storms Drogheda, 361; and Wexford and goes into winter quarters, 362; is repulsed at Kilkenny and Clonmel, 364; is appointed lord general and invades Scotland, 368; retreats to Dunbar, 369; gains battle of Dunbar, 370; takes Edinburgh, 371; Perth, 373; defeats Charles at Worcester, 375; declares for a monarchical settlement, 381; is desirous to help the Huguenots, 388; tries to avert the Dutch war, 391; his conversation with Whitelocke, 396; expels the parliament, 397; calls the little parliament, 399; accepts the resignation of the members, 402; becomes protector, 405; his early life, 408-409; his ecclesiastical policy, 410; his tolerance, 411-412; his legal reforms, 413; his policy in Scotland, 415; in Ireland, 416-419; his foreign policy, 419-423; calls a parliament, 424; dissolves it, 426; institutes the major-generals, 430-431; declares war on Spain, 434; concludes a treaty with France, 435; calls a second parliament, 440; refuses the kingly office, 447; accepts the amended petition and advice, 448; concludes an alliance with France, 450; forms a house of lords, 452; dissolves the parliament, 454; his great position in Europe, 457; dies, 459.
Cromwell, Richard, 457; named his successor by Oliver, 459; his accession to the protectorate, 463; calls a parliament, 464; is forced to dissolve it, 466; abdicates, 467.
Cromwell, Robert, 408.
Cromwell, Sir Henry, 408.
Cromwell, Sir Richard, 408.
Cropredy Bridge, battle of, 296.
Culpepper, Sir John, avows his attachment to "primitive episcopacy," 243; opposes the grand remonstrance, 256; is appointed chancellor of the exchequer, 259; sent into the west with the Prince of Wales, 308; advises Charles II. to go to Scotland, 358.

Dalnaspidal, 414.
Darnel, Sir Thomas, 145.
Dartford, 338.
Daventry, 309, 310, 470
Deal Castle, 338.
Deane, Colonel Richard, 394, 405.

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"Decimation" of royalists, 431, 444.
Declaration of Sports, the, 88; ordered to be read from every pulpit, 186
Declaration of the Army, the, 330.
Delawarr, Thomas West, Lord, is appointed governor of Virginia, 50; saves the colony, 51.
Denbigh, William Fielding, first Earl of, chosen to relieve Rochelle, 145; fails in the attempt, 150.
Denbigh, Basil Fielding, second Earl of, 346.
Denham, Sir John, a baron of the exchequer, 184.
Deptford, 338.
Derby, Countess of, defends Lathom House, 297.
Derby, James Stanley, seventh Earl of, 374, 375.
Derby, Charles Stanley, eighth Earl of, 469.
Dering, Sir Edward, 243.
Derry, town of, 48.
Desborough, John, named major-general of the west, 428; confirmed in his appointment, 430; brings in a bill to continue the "decimation" of royalists, 444; opposes the address and remonstrance, 446, 447; his conduct towards Richard Cromwell, 463, 464, 466; is appointed by parliament to nominate for commissions in the army, 468; is appointed general of the horse by the officers, 471.
Devizes, 282.
Devizes, the Castle of, 313.
Devonshire, Charles Blount, Lord Mountjoy, Earl of, 21, 22, 44.
D'Ewes, Sir Simonds, 247.
De With, Admiral, 393.
Digby, George, is returned to the short parliament, 216; opposes the bill for attainting Strafford, 238; avows his attachment to "primitive episcopacy," 243; goes over to the king, and is created a peer, 259; joins the cavaliers at Kingston, 263; is impeached, 264; denounces the Glamorgan treaty, 318.
Digby, Sir Everard, 27, 29, 30.
Digby, Sir John, is sent ambassador to Spain, 61; is created Lord Digby of Sherborne and sent to Vienna, 103; returns to Spain and is created Earl of Bristol, 109; is ordered to return, 116; is forbidden to attend parliament, but appears and accuses Buckingham, 140-141; is restored to favour, 155; takes the lead in the great council at York, 224; tries to save Strafford, 239.
Digby, Sir Kenelm, 318.
Digges, Sir Dudley, 104, 132, 141, 142.
Dillon, Viscount, 258.
Directory, the, 384.
Distraint of knighthood, 168, 242.
Dohna, Baron, 92.
Doncaster, Lord, 92.
Donnington Castle, 302.
Doon Hill, 369.
Dorchester, Viscount. See Carleton, Sir Dudley.
Dorislaus, Isaac, Dr., 359.
Dorset, Thomas Sackville, Earl of, lord treasurer, 21, 22, 37.
ort, Synod of, 128.
Douglas, Sir Joseph, 358.
Downs, naval battle of the, 225.
Drogheda taken by Inchiquin, 360; retaken by Cromwell, 362.
Dublin, city of, attempt to seize, 253; surrendered by Ormond to the English parliament, 326; threatened by Ormond, 360.
Dunbar, battle of, 369-371.
Dundalk taken by Inchiquin, 360; re- taken, 362.
Dundee surprised by Montrose, 315; stormed by Monk, 375.
Dunes, the, battle of, 455.
Dunfermline, Charles Seton, Earl of, 214.
Dungeness, battle of, 393.
Dunkirk, 178, 388, 389, 394, 405, 422, 440, 450, 451, 455-457.
Dunnottar Castle, 375.
Dunrobin Castle, 366.
Dunse Law, 212.
Durham, 223, 462
Dury, John, 420.

East India Company, the, 17.
Eastern Association, the, 278.
Eastland Company, the, 17.
Edgehill, battle of, 275.
Edinburgh, city of, riot in, 205; occupied by the English, 342; taken by Cromwell, 371; meeting at, summoned by Monk, 472.
Effiat, the Marquis of, 120.
Egerton, Sir Thomas, lord keeper, made lord chancellor and Baron Ellesmere, 5; his judgment in the case of the *Post-nati*, 35; dies, 76.
Eglesham, Dr., his book against Buckingham, 157.
Eglinton, Alexander Montgomery, Lord, 342.
Eikon Basiliké, 383.
Ejectors, the, 410.
Elba, sea-fight off, 393.
Elcho, David Wemyss, Lord, 314, 315.

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Eleven members, the, accused by the army, 330.
Eliot, Sir John, returned to parliament of 1624, 117; urges a war with Spain, 118; returned to parliament of 1625, 132; of 1626, and denounces Buckingham, 139; moves a remonstrance, 140; a manager in the impeachment of Buckingham, 141; is imprisoned, 142; a leader in the parliament of 1628, 151; moves a protestation, 161; is imprisoned, 162; remains in prison until his death, 163.
Elizabeth, daughter of Charles I., 349.
Elizabeth, daughter of James I., 27; married to Frederick, elector palatine, 62; urges him to accept the Bohemian crown, 92.
Ely O'Carroll, district of, plantation in, 48.
Engagement, the, 335.
Epernon, the Duke of, 143.
Episcopacy in England, debates on, 243-244; suppression of, 384.
Episcopacy in Scotland, revival of, by James I., 51; suppression of, 209, 214.
Erle, Sir Walter, 145.
Essex, Robert Devereux, second Earl of, 5, 58.
Essex, Robert Devereux, third Earl of, marries Frances Howard, 64; is divorced from her, 64; takes part in the expedition to Cadiz, 135; receives a command in the first bishops' war, 210; his remark on Strafford's impeachment, 237; is appointed general by the parliament, 267; fights the battle of Edgehill, 275; saves London from the king, 276; takes Reading, 280; relieves Gloucester, 285; fights the first battle of Newbury, 286; unsuccessful before Oxford, 296; loses his army in Cornwall, 300; resigns his command, 307.
Ettrick Water, the, 316.
Eure, George, Lord, sits in the little parliament and in Cromwell's house of lords, 452.
Eure, William, Lord, case of, 168.
Evangelical union of German protestant princes, 54, 92, 93, 103.
Evesham, 285, 300.
Excise, the, 284, 382, 400.
Exeter taken by Prince Maurice, 285; Henrietta Maria at, 300; surrendered to Fairfax, 319.
Exeter, David Cecil, Earl of, 223.
Evthin, James King, Lord, 298, 299.

Fairfax, Lady, 347.
Fairfax, Ferdinando Fairfax, second Viscount, is appointed to command for the parliament in Yorkshire, and is defeated at Tadcaster, 277; is defeated on Adwalton Moor, and becomes governor of Hull, 281; storms Selby, and takes part in the siege of York, 295; and in battle of Marston Moor, 299.
Fairfax, Sir Thomas, defeats Sir William Savile, 280; surprises Wakefield and is defeated at Adwalton Moor, 281; defeats Lord Byron at Nantwich, 294; joins the Scots before York, 295; commands left wing at Marston Moor, 298; is appointed commander-in-chief of the new model, 305; besieges Oxford, 309; gains battle of Naseby, 310; of Langport, and takes Bristol, 312; gains battle of Torrington and takes Exeter, 319; besieges Oxford, 320; confers with a deputation of the house of commons, 327; orders a general rendezvous at Newmarket, 328; occupies London, 333; becomes third Viscount Fairfax, and quells royalist rising in Kent and Essex, 338; is named a member of the high court of justice, 346; absents himself, 347; refuses to approve the execution of Charles I., 353; quells the mutineers at Burford, 356; scruples to invade Scotland and resigns his office, 368; heads a rising in the north of England, 474.
Falkland, Henry Cary, first Viscount, lord deputy in Ireland, 193; offers the "graces" in return for a grant, 194; is recalled, 194.
Falkland, Lucius Cary, second Viscount, is returned to the short parliament, 216; in long parliament objects to the demand for Strafford's arrest before the charge has been prepared, 228; moves that a charge be drawn against Finch, 229; votes for the attainder of Strafford, 238; avows his attachment to "primitive episcopacy," 243; opposes the bill for excluding the clergy from temporal office, 251; opposes the grand remonstrance, 256; is appointed secretary of state, 259; is killed at Newbury, 286.
Farnham, 301.
Fauconberg, Thomas Bellasyse, Lord, 452, 458.
Fawkes, Guido, 25, 26, 28-30.
Feake, Christopher, 409.
Fécamp, 375.
Felton, John, murders the Duke of Buckingham, 157.

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Feoffees for impropriations, the, 174.
Ferdinand of Styria (the Emperor Ferdinand II.), 90, 92, 93, 103, 104, 167.
Ferdinand III., Emperor, 436.
Fiennes, Nathaniel, named a commissioner to attend Charles in Scotland, 247; surrenders Bristol and is tried by court-martial, 283.
Fifth monarchy men, 355, 401, 409, 427, 442, 454, 457, 463.
Finch, Sir John, speaker, 160; appointed chief justice of the common pleas, 178; is active in the enlargement of the forests, 179; his judgment in Hampden's case, 184; is appointed lord keeper, 215; impeachment and flight of, 229.
Fisher, John, 170.
Five articles, the, of Perth, 88.
Five knights' case (Darnel's case), 145.
Five members, the impeachment of, 259.
Fleetwood, Charles, colonel, is employed to appease the soldiers, 328; lieutenant-general and takes part in the battle of Worcester, 374; becomes lord deputy of Ireland, 417; is recalled, 418; one of the protector's major-generals, 430; opposes the address and remonstrance, 446-447; Cromwell's son-in-law, 458; holds meetings of officers at his house, 464; compels Richard Cromwell to dissolve parliament, 466; is appointed commander-in-chief by the restored parliament, 468; is reduced to be one of a committee, 471; his impotence, 474.
Fleming, Adjutant-General, 337.
Fleming, Sir Thomas, chief baron, his judgment in Bate's case, 36; chief justice, and joins in Coke's opinion regarding proclamations, 40; his death, 70.
Fleming, Sir William, 366.
Floyd, Edward, case of, 101.
Forests, royal, enlargement of the, 179, 242.
Fortescue, Sir John, 12.
Forth, Patrick Ruthven, Earl of, commands at Edgehill, 275; is appointed commander-in-chief of the royal army and afterwards made Earl of Brentford, 276; deprived of his command, 302.
Foulis, Sir David, case of, 169.
Fox, George, 385, 412, 458.
Frankenthal, 109.
Frederick II., King of Denmark, 2.
Frederick III., King of Denmark, 394, 429, 452.
Frederick, Elector Palatine, marries the Lady Elizabeth, 62; offers to mediate between the Emperor Matthias and the Bohemians, 90; is elected king by the Bohemians, 92; is defeated in the battle of the White Mountain, 93; takes refuge at the Hague, 103; loses the Palatinate, 109; dies, 166.
Frederick, Henry, Prince of Orange, 232, 318.
Frias, Duke of, Constable of Castile, 21, 22.
Fronde, the, 359.

Gabbard, the battle of the, 405.
Gainsborough, combat of, 282.
Galway, city of, 377.
Galway jurors, the, 196.
Garnet, Henry, provincial of the Jesuits, 7, 29, 30.
Gascoigne, Sir Bernard, 341.
Gauden, Dr. John, author of *Eikon Basilikè*, 383.
General Assembly of the Confederate Catholics (Irish), 287.
General Assembly of the Scottish Kirk in 1610, 52; in 1616 and in 1617, 87; in 1639, 209; another, 214; in 1643, 291; in 1650, 368; meeting of, forbidden, 415.
General supplication, the, 206.
Gerard, John, colonel, 421, 423, 424.
Gerard, John, Jesuit, 7, 25, 30.
Glasgow, 52, 209, 316, 372.
Glemham, Sir Thomas, 299.
Glencairn, William Cunningham, Earl of, 414.
Gloucester, Henry, Duke of, youngest son of Charles I., 349, 396.
Gloucester, siege of, 285; attempt to surprise, 469.
Glyn, John, chief justice, 444.
Goffe, William, colonel, 402.
Gondomar, Count of. See Sarmiento, Don Diego.
Goodwin, Sir Francis, case of, 12-13.
Goodwin, Thomas, 303.
Goree, 393.
Gorges, Sir Ferdinando, 49.
Goring, George, betrays the army plot to the parliamentary leaders, 237; joins Rupert, 297; commands the royalist left wing at Marston Moor, 298; his misconduct in the west, 308; summoned to join Charles, but returns to the west, 309; defeated by Fairfax at Langport, 312; resigns and goes to France, 319.
Gosnold, Bartholomew, 49.
Grant, John, 26, 29, 30.

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Gravelines, 450.
Gravesend, 332.
Great contract, the, 41.
Greenway, Oswald, Father, 29, 30.
Grenville, Sir Bevil, 277, 282.
Grenville, Sir John, 477, 479.
Grenville, Sir Richard, 319.
Gregory XV., Pope, 114.
Grey of Groby, Thomas Grey, Lord, assists in Pride's Purge, 345; disaffected to Cromwell, 428.
Grey of Wilton, Thomas Grey, Lord, takes part in the Bye plot, 7; is condemned, reprieved and dies in the Tower, 9.
Grotius, 179.
Grove, Hugh, 428.
Guiana, English claim to, 80
Guise, Duke of, 432.
Gustavus Adolphus, King of Sweden, 124, 167.

Hacker, Francis, colonel, 347, 349.
Hakewill, William, 40, 68.
Hale, Matthew, 413.
Hamilton, James Hamilton, Marquis of, enlists volunteers for the Swedish service, 167; sent by Charles to negotiate with the covenanters, 208; his failure, 209; sent on an expedition to the Firth of Forth, 212; advises Charles to call an English parliament, 214; his temporising conduct, 249; induces Charles to reject Montrose's offers and is created a duke, 289; leader of the war party in Scotland, 337; invades England, 339; his defeat and surrender, 340; trial and execution, 354.
Hamilton, town of, 372.
Hammond, Robert, colonel, 334.
Hampden, John, refuses to pay ship-money, 183; judgments given in his case, 184; is returned to the short parliament, 216; his tactics, 217; disapproves of the bill of attainder against Strafford, 238; his opinion regarding Church government, 244; is named a commissioner to attend Charles I. in Scotland, 247; impeached by Charles, 259; joins Essex after the battle of Edgehill, 276; mortally wounded at Chalgrove Field, 280.
Hampden, Sir Edmund, 145.
Hampton Court, conference at, 10, 11; Charles I. at, 333, 334; Cromwell at, 458.
Hane, Joachim, 407.
Harington, Lord, 27.
Haro, Don Luis de, 468.
Harrison, Thomas, major-general, 346, 368, 373, 374, 397, 398, 409, 427.
Hastings, Sir Francis, 15.
Havre, 407.
Hazlerigg, Sir Arthur, is impeached by Charles I., 259; hostile to the Protector Oliver, 425, 440, 453; to the Protector Richard, 463; in the council of state, 475.
Heads of the Proposals, the, 331-333, 343.
Heath, Sir Robert, solicitor-general, 132, 133; attorney-general, 140; chief justice of the common pleas, and dismissed, 178.
Heidelberg, 109.
Heligoland, treaty of, 367.
Helwys, Sir Gervase, 66, 73.
Henderson, Alexander, 207.
Henrietta Maria, sister of Louis XIII. (Queen of England, 1625), treaty for marriage of, to Prince Charles, 117, 120; marriage to Charles I., 131; her differences with her husband, 137; taste for theatricals, 187; informed of the army plot, 237; rumour that she is to be impeached, 259; urges the king to seize the five members, 260; sails from Dover, 264; sends cargo of arms to the king, 267; lands at Bridlington Quay, 280; reaches Oxford, 281; goes to Exeter, 300; sails from Falmouth to France, 300; advises the king to make an agreement with the Scots, 320; and to make concessions as to Church government, 324; chooses the Earl of Holland to head an insurrection, 338.
Henrietta, youngest daughter of Charles I., born at Exeter, 300.
Henry IV. of France, 6, 54.
Henry Frederick, Prince of Wales, proposed marriage of, with the Infanta Anne, 22; other marriage schemes for, 61; dies, 62.
Herbert of Raglan, Edward Somerset, Lord, his statement of his losses in the civil war, 271; is created Earl of Glamorgan, and employed on a mission to Ireland, 317; arrested by the council in Dublin, 318; released, 320.
Herbert of Raglan, Henry Somerset, Lord, son of the above, 469.
Herbert, Sir Edward, attorney-general, impeaches the five members, 259.
Hereford, city of, 308, 312.
Hermanszoon, James (Arminius), 128.
Heveningham, Sir John, 145.
Hewitt, Dr., 455.
High commission, court of, 201; abolished, 245.

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High commission, court of, Scottish, 52.
High court of justice, the, 346.
Hillingdon, 321.
Histriomastix, a treatise by Prynne, 186.
Holbeche, 29.
Holborne, Robert, 183.
Holland, Earl of. See Kensington, Viscount.
Holles, Denzil, holds the speaker down in his chair, 160; is imprisoned, 163; impeached by Charles I., 259; impeached by the army, 330; sent on deputation to Charles II., 480.
Holmby (or Holdenby) House, 325, 329.
Hopton, Sir Ralph, raises Cornwall for Charles I., 277; gains the battle of Braddock Down, 279; gains battles of Stratton, Lansdown and Roundway Down, 282; invades Hampshire, 291; is defeated at Cheriton, 295; sent into the west with the Prince of Wales, 308; made commander-in chief, defeated at Torrington, and surrenders to Fairfax, 319.
Horton, Thomas, colonel, 337.
Hotham, John, son of Sir John, 263, 280, 281.
Hotham, Sir John, 263, 266, 280, 281.
House of lords abolished, 353; a new one established by the advice and remonstrance, 445; selection of members of, 452; attacked in the house of commons, 453, 454.
Howard, Frances, Countess of Essex and Countess of Somerset, 64-66, 73, 74.
Howard, Henry, Lord, made a privy councillor and created Earl of Northampton, 5; one of the negotiators of the treaty of peace with Spain, 21; accepts a pension from Spain, 22; furthers the divorce of the Countess of Essex, 64; opposes the calling of a parliament, 69; dies, 84.
Howard of Escrick, Edward Howard, Lord, 223, 247.
Howard, Thomas, Lord Howard de Walden, created Earl of Suffolk, 5; arrests Fawkes, 28; is appointed treasurer, 84; prosecuted in Star Chamber for misconduct and deprived of his office, 84.
Howard, Thomas, Lord Maltravers, recovers earldoms of Arundel and Surrey, 5; is imprisoned by Charles I., 140; again imprisoned, 142; restored to favour, 155; commander-in-chief of army destined to invade Scotland, 210.
Hudson, Michael, Dr., 321.
Huguenots, the, 123, 137, 143, 158, 388, 407.
Hull, secured by Sir John Hotham for the parliament, 263; besieged by Newcastle, 285; the siege raised, 291.
Hungerford, 286.
Huntly, George Gordon, Marquis of, 211.
Hurry, Sir John, 315.
Hurst Castle, 344.
Hutchinson, John, colonel, 349, 354.
Hutton, Sir Richard, a justice of the common pleas, 183, 184.
Hyde, Edward, returned to the short parliament, 216; his action there, 218; promotes a bill in the long parliament to abolish the Star Chamber and the council of the north, 242; opposes the bill for excluding the clergy from temporal office, 251; opposes the grand remonstrance, 256; is accepted by Charles I. as an adviser, 259; his correspondence with Charles, 265; sent into the west with the Prince of Wales, 308; advises Charles II. to go to Ireland, 358; sent by Charles II. as ambassador to Spain, 387.

Icolmkill, band and statutes of, 53.
Iconoclastes, a pamphlet by Milton, 383.
Inchiquin, Lord, president of Munster, 342, 357, 360, 364.
Incident, the, 250.
Ingoldsby, Richard, colonel, 465, 479.
Innocent X., Pope, 358.
Instrument of government, the, 403, 404.
Inverary, 372.
Inverkeithing, 373.
Inverlochy, battle of, 315.
Inverness, 415.
Ireland, condition of, at accession of James, 42-44; policy of the government in, 44-49; the "Graces" in, 194; Wentworth's policy in, 195-199; rebellion of 1641 in, 251-254; condition of, in 1642, 287; cessation of arms concluded in, 288; negotiations in, 317-318, 320; hostility of, to the commonwealth, 356-357; Cromwell's campaign in, 360-365; completion of conquest of, 376-377; parliamentary union of, with England, 403; Cromwellian settlement of, 415-419.
Ireton, Henry, commissary-general, is employed to appease the soldiers, 328; drafts the Heads of the Proposals, 331; and the remonstrance of the army, 344; a member of the high court of justice and resolute for the

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execution of Charles I., 348; his understanding with Lilburne, 352; sent to Munster, 360; follows Cromwell to Dublin, 361; left as lord deputy in Ireland, 365; takes Waterford, 376; and Limerick, and dies, 377.
Ironsides, the, 278.
Isabella, the Infanta, 8, 21.
Islip, royalists defeated at, 309
Israel, Manasseh ben, 412.

Jamaica, conquest of, 432.
James I., his accession, 1; his character and opinions, 2-4; arrival in England, 5; choice of advisers, 5; resolves to end war with Spain, 6; hostile to Puritans and leniently disposed towards Roman catholics, 7; presides at Hampton Court conference, 10; his speech to parliament, 12; desire for complete union of Scotland with England, 15; change of feeling towards catholics, 18; his improvidence, 33; lavish use of proclamations, 38; negotiation with house of commons for the suppression of military tenures, 39-41; policy towards the Scottish Kirk, 51-52; makes an alliance with the United Provinces, 53; with the French, 55; calls a parliament, 67; dissolves it, 69; his conflict with Chief Justice Coke, 75-76; desires a Spanish marriage for his son Charles, 77; his treatment of Raleigh, 83; visit to Scotland, 87; policy in German affairs, 93; calls a third parliament, 94; remits penalties inflicted on Bacon, 100; in conflict with the house of commons, 105; dissolves parliament, 106; takes up negotiation for the Spanish marriage, 109; is persuaded by Charles and Buckingham to change his foreign policy, 115; calls a fourth parliament, 117; negotiates a French marriage for Charles, 119-120; sends Mansfeld to regain the Palatinate, 121; his death, 124.
James, Duke of York, second son of Charles I., falls into the power of the parliament, 324; escapes from England, 337; takes part in attempt on Mardyke, 451; and in the battle of the Dunes, 455; takes command of the fleet, 480.
Jamestown in Virginia, 50.
Jenkins, William, 373.
Jephson, Colonel, 442.
Jermyn, Henry, 237.
Jersey, island of, 365, 377, 379.
Jews in England under the Commonwealth, 412.
John IV., King of Portugal, 377, 378, 421, 438.
John, Don, of Austria, 451, 455.
John George, Elector of Saxony, 90, 93.
John William, Duke of Cleves and Juliers, 54.
Johnston, Archibald, of Warriston, 207.
Jones, Michael, colonel, besieges Chester, 313; is sent to Ireland by the parliament, and defeats Preston at Dungan Hill, 342; and Ormond at Rathmines, 360.
Joyce, George, cornet, 328, 329.
Juliers, town of, 54.
Juxon, William, Bishop of London, appointed lord treasurer, 182; attends Charles I. at his execution, 349.

Keble, Richard, 354.
Kelso, 212, 316.
Kennet, river, 286, 302.
Kensington, Henry Rich, Viscount, sent as ambassador to Paris, 117; created Earl of Holland, 120; sent with a petition from the parliament to Charles, 268; deserts from the parliament to the king and from the king to the parliament, 285; is chosen to head the royalist insurrection in England, fails and is taken prisoner, 338; condemned and executed, 354.
Kentish Knock, battle of the, 393.
Kentish petition, the, 266.
Ker, Gilbert, colonel, 373.
Keyes, Thomas, 26, 29, 30.
Keymis, Captain, 81.
Kilkenny, city of, 287, 320, 364, 377.
Killing no Murder, pamphlet, 452.
Kilsyth, battle of, 315.
Kimbolton, Edward Montagu, Lord, signs the petition for calling a parliament, 223; impeached by Charles I., 259; Earl of Manchester and is made general of the eastern association, 284; takes part in siege of York, 297; returns to Lincolnshire after the battle of Marston Moor, 299; his quarrel with Cromwell, 301; denounces Cromwell in the house of lords, 303; resigns his command, 307; declines to sit in the protector's house of lords, 452.
Kineill Castle, 249.
Kineton, 275.
King, John, Bishop of London, pronounces sentence on Legate, 62; a commissioner for the Essex divorce case, 64.

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Kingston-on-Thames, 263, 338.
Kinnoull, Lord, 365, 366.
Kinsale, 136, 357, 363.
Knaresborough, 297.
Knewstubs, John, 10.
Kyle of Sutherland, the, 366.

Lake, Sir Thomas, 84.
Lambert, John, commands for the parliament in the north of England, 339; receives the surrender of Hamilton, 340; is left in Scotland to support Argyle, 342; at Dunbar, 370; defeats Scots at Inverkeithing and is sent in pursuit of Charles II., 373; is nominated lord deputy of Ireland, 395; wishes to call a new parliament, 398; effects dissolution of the little parliament, 402; helps to frame the instrument of government, 403; desires a war with France, 422; a major-general, 430; opposes the address and remonstrance, 446; refuses to take the councillor's oath, 452; is returned to Richard Cromwell's parliament, 464; defeats Sir George Booth, 469; expels the parliament, 471; confronts Monk on the border, 473; is deserted by his men, 474; surrenders, 475; in the Tower, 476; escapes, 478; is retaken, 479.
Lambeth Articles, the, 11.
Lambourn, river, 302.
Lanark, William Hamilton, Earl of, 315; in correspondence with Argyle, 358; becomes Duke of Hamilton on his brother's death and gains the confidence of Charles II., 372; his death, 375.
Langdale, Sir Marmaduke, 310, 339, 340.
Langport, battle of, 312.
Lansdown Hill, battle of, 282.
La Prée, fortress of, 144.
Lathom House, defence of by the Countess of Derby, 297.
Laud, William, preaches before James in Holyrood, 87; a leader among the Anglo-Catholics, 129; censured by the house of commons, 155, 160; ecclesiastical adviser to Charles, 166; his early career, 169, 170; Bishop of St. David's, Bath and Wells, London, 170; hostile to the lecturers, 172; speech in Sherfield's case, 173; attacks the feoffees for impropriations, 174; attends Charles to Scotland and is appointed Archbishop of Canterbury, 176; his correspondence with Wentworth, 177; made a commissioner of the treasury, 180; rebukes Chief Justice Richardson, 186; his metropolitical visitation, 187; presses for strong measures against Roman catholics, 192; in Scotland, 206; in England, 219; the commons resolve to impeach and the lords commit to prison, 229; at the bar of the lords, 305; ordinance of attainder against and execution of, 306.
Lauderdale, John Maitland, Earl of, 332, 341, 358, 375.
Laugharne, Rowland, colonel, 337.
Lawson, Admiral John, 474, 475.
League and Covenant, the Solemn, 290.
Lecturers, the, 172.
Lede, Marquis of, 433.
Legate, Bartholomew, burnt as a heretic, 62.
Legge, Captain, 262; Colonel, 334.
Leghorn, 393, 432.
Leicester, Robert Sidney, second Earl of, is appointed lord-lieutenant of Ireland, 252; is ordered by the parliament to repair to Dublin, 255; is hindered from going by Charles, 288.
Leicester stormed by Charles I., 309; recovered by Fairfax, 311.
Leighton, Alexander, author of *Sion's Plea against Prelacy*, 172; condemned by the Star Chamber, 173; released by parliament, 229.
Leith, 212, 368, 371, 373, 415.
Lennox, Ludovick Stuart, Duke of, 73.
Lenthall, William, speaker of the long parliament, 227; his behaviour on the king's visit to the house of commons, 261; leaves Westminster and goes to the army, 332; declines to move when the parliament is expelled, 397; is chosen speaker in the first parliament of the protectorate, 424; is invited by the officers to return with the long parliament, 467.
Leon, Isle of, 135.
Leopold, Archduke, takes possession of Juliers, 54.
Leopold, Archduke, son of Ferdinand III., 439; elected emperor, 456.
Leslie, Alexander, is chosen to command the army of the covenanters, 210; encamps on Dunse Law, 212; crosses the Tweed, 222; crosses the Tyne, 223; is created Earl of Leven, 250; leads a Scottish army to the help of the parliament, 294; takes part in the siege of York, 295; and the battle of Marston Moor, 299; is given the command-in-chief against Cromwell, 368; is taken prisoner, 375.

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Leslie, David, 298-299, 312, 316, 368-370, 373.
Levant Company, the, 17, 36.
Levellers, the, 333, 335, 355.
Lewis, island of, attempt to plant colony of lowlanders in, 53.
Lilburne, Colonel, 374.
Lilburne, John, punished by the Star Chamber for contempt of court, 189; released by the long parliament, 229; a leader of the democratic party, 355; banished by the long parliament, returns, is tried and acquitted, 401.
Limerick, 364, 376, 377.
Lincoln, city of, taken by the royalists, 282; surrendered to the parliament, 291; re-taken by Rupert, 295; recovered by the parliament, 301.
Lincoln, Theophilus Clinton, Earl of, forbidden to take his seat in the house of lords, 147.
Lindsay, Sir James, 24.
Lindsey, Robert Bertie, Earl of, attempts the relief of Rochelle, 157; commands the ship-money fleet in 1635, 179; commander-in-chief of royal army, 274; killed at Edgehill, 275.
Lisle, John, 354.
Lisle, Sir George, 341.
Littleton, Lord, carries the great seal to York, 266.
Liverpool, 297.
Lockhart, Sir William, 399, 439, 455, 468.
Lockyer, Robert, 356.
London, city of, grant of land in Ulster to, 48; puritan temper of, 172; sentenced to forfeiture of land in Ulster, 197; refuses a loan to Charles, 219; petitions for the calling of parliament, 224; riots in, 240; zeal of, for the parliament, 263, 270, 285; royalist conspiracy in, 283; occupied by Fairfax, 333; again occupied, 345; occupied by Monk, 475; its hostility to the rump, 475-476; asks that Charles II. should be invited to return, 478.
London Company, the, sends an expedition to colonise Southern Virginia, 49; is remodelled, 50.
Londonderry, county of, 48, 197, 257.
Longford, county of, plantation in, 48.
Lorne, Lord, 140. See Argyle, Earl of.
Lorraine, the Duke of, 318.
Lostwithiel, Essex's army surrenders at, 300.
Loudoun, John Campbell, Earl of, 207, 214, 366.
Louis XIII., King of France, 120, 121, 123, 124, 131, 137, 138, 143, 145.
Louis XIV., King of France, 359, 422, 434, 435, 439, 451, 456, 457, 467, 468.
Love, Christopher, 373.
Lubeck, peace of, 166.
Lucas, Sir Charles, 338, 341.
Ludlow, Edmund, 349, 377, 410, 465, 467, 471.
Lunsford, Colonel, 257, 258, 263.
Lutter, battle of, 143.
Lützen, battle of, 167.
Lyme Regis, 285, 296, 300, 301, 360.
Lynn, 291, 321.

Macdonald, Alaster, 313-315.
Macgregor, clan of, extirpated, 53.
Macleod, Neil, of Assynt, 366.
Macmahon, Ewer, Bishop of Clogher, 364, 376.
Macmahon, Hugh, 253.
Maguire, Cuconnaught, 47.
Maguire, Lord, 253.
Maidstone, battle of, 338.
Main plot, the, 7.
Maine, 379.
Man, Isle of, 374, 377, 378.
Manchester, Earl of. See Kimbolton, Lord.
Mannheim, 109.
Mansell, Sir Robert, secretary to the navy, 66, 84.
Mansfeld, Count, 92, 103, 109, 121, 123.
Manwaring, Dr. Roger, 153, 155, 217.
Mardyke, 450, 451.
Maria, the Infanta, 61, 110, 113, 115.
Marie de Medicis, regent of France, 54.
Market Drayton, 309.
Market Harborough, 310.
Markham, Sir Griffin, 7, 9.
Marshall, Stephen, 290.
Marston Moor, battle of, 297-299.
Marten, Henry, 333, 348.
Martin, Sir Henry, 185.
Mary, eldest daughter of Charles I., married to William of Orange, 232.
Maryland, 379.
Massachusetts, 108, 379.
Massey, Edward, governor of Gloucester for the parliament, 285; named lieutenant-general of the Irish army, 327; accused by the army, 330, 332; attempts to surprise Gloucester, 469.
Massimi, De, papal nuncio at Madrid, 113.
Matthias, Emperor and King of Hungary and Bohemia, 90, 92.
Maurice, Prince, son of Frederick Elector Palatine, 268, 282, 285, 300, 302, 380.

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Maurice, Prince of Orange, 54, 73, 123, 128.
Maximilian, Duke of Bavaria, 90, 93, 103.
Maxwell, Dr. John, 176.
Maxwell, James, 228, 229.
May, Sir Humphrey, 132.
Mayflower, the, voyage of, 107.
Maynard, John, 330, 429.
Mazarin, Cardinal, 318, 359, 388, 406, 421, 422, 439, 440, 455, 456.
Meadowe, Philip, 438.
Meldrum, Sir John, general of the eastern association, relieves Gainsborough, 281; besieges Newark, 295.
Melville, Andrew, 4.
Merchant adventurers, the, 17.
Mercurius Politicus, official newspaper, 383.
Michell, Sir Francis, 96, 97, 101.
Middlesex, Earl of. See Cranfield, Lionel.
Middleton, John, general, 414.
Midland Association, the, 278.
Military tenures, 14, 16, 39, 41.
Millenary petition, the, 6.
Milton, John, 292, 355, 383, 413.
Mompesson, Sir Giles, 96, 97, 101.
Monarchy abolished, 353; restored, 479.
Monk, George, made prisoner at Nantwich, 294; commands for the parliament in Ulster, 342, 360; takes part in battle of Dunbar, 370; storms Dundee, 375; sits in the little parliament, 399; quells Glencairn's rebellion, 414; protests against the expulsion of the parliament, 471; invades England, 474; restores the excluded members, 476; sends a message to Charles II., 478; receives Charles at Dover, 481.
Monopolies created, 95, 96, 181; statute of, 119; condemned by the house of commons, 229.
Monro, Robert, major-general, 287, 289, 326.
Monro, Sir George, 339, 441.
Montagu, Edward, 437, 438, 468, 470, 478, 480.
Montagu, Richard, 132, 133, 155.
Montagu, Sir Henry, chief justice, 96.
Montagu, Walter, 158.
Montaigne, George, Bishop of London, made Archbishop of York, 155.
Monteagle, Lord, 25, 28.
Monthly assessments, the, 284, 382, 401, 425, 427.
Montmédy, 451.
Montreuil, Jean de, the agent of France, with the Scots, 320.
Montrose, James Graham, Earl of, sent by the covenanters against Huntly, 211; joins in the bond of Cumbernauld, 222; urges Charles I. to visit Scotland, and is imprisoned, 246; his letters to Charles, 249; is released, 250; proposes to raise a war in Scotland, 289; his offers rejected by Charles, 290; made lieutenant-general of Scotland and a marquis, 295; his unsuccessful invasion of Scotland, 295; crosses the lowlands in disguise, 313; raises an army of highlanders and gains battles of Tippermuir and Aberdeen, 314; of Inverlochy, Auldearn, Alford, and Kilsyth, 315; his political difficulties and overthrow at Philiphaugh, 316; ordered by Charles to quit Scotland, 324; his last expedition, 365; his capture and execution, 366.
Montserrat, island of, 379.
Mordaunt, John, 469.
More, Roger, 253.
Morgan, Thomas, colonel, 414, 455-456.
Morley, Herbert, colonel, 473, 475.
Morton, Sir Albertus, 94.
Morton, Thomas, Bishop of Chester, 88.
Mountnorris, Lord, case of, 198.
Mulgrave, Edmund Sheffield, Earl of, 223.
Multyfarnham, Abbey of, 253.
Munster, English rising in, 363, 364.
Muscovy Company, the, 17.

Nantwich, battle of, 294.
Naseby, battle of, 310.
Naunton, Sir Robert, 83.
Navigation Act, the, 390, 391.
Naylor, James, case of, 443.
Needham, Marchmont, 383.
Neile, Richard, Bishop of Lichfield, concerned in cases of Legate and Wightman, 62; commissioner for Essex divorce case, 64, 69, 160, 169.
Neuburg, Wolfgang Wilhelm, Count Palatine of, 54.
Neville, Christopher, 69.
Neville, Sir Henry, 67.
Nevis, island of, 379, 432.
Newark-upon-Trent, 295, 320, 324.
Newbridge, 296.
Newcastle, 267, 299, 324, 325.
Newcastle, Duchess of, 271.
Newcastle, William Cavendish, Earl of, 237; named governor of Hull by Charles I., 263; general of the royal forces in the north, 276; gains battles of Pierce Bridge and Tadcaster, 277; conquers the West Riding, 280, 281; is created a marquis and lays siege

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to Hull, 285; raises the siege, 291; marches against the Scots, 294; is shut up in York, 295; is relieved by Rupert, 296; takes part in the battle of Marston Moor, 298; escapes to the continent, 299.
Newcastle, town of, 267, 324.
Newdigate, Richard, justice of the upper bench, 429.
New Gag for an Old Goose, a theological treatise by Richard Montagu, 133.
New Hampshire, 379.
Newmarket, 328.
New model army, the, 304, 307, 309.
Newport, Christopher, 50.
Newport, Lord and Lady, 192.
Newport, treaty of, 343.
New Ross, 363.
Nineteen propositions, the, 266.
No addresses, vote of, 336; rescinded, 343.
Northampton, Earl of. See Howard, Henry.
North Queensferry, 373.
Northumberland, Henry Percy, ninth Earl of, 25, 27, 30, 102.
Northumberland, Algernon Percy, tenth Earl of, 183, 220, 222, 273.
Norwich, George Goring, Earl of, 338, 354.
Nottingham, 268.
Nottingham, Charles Howard, Earl of, lord high admiral, one of the negotiators of the treaty of peace with Spain, 21; his neglect of administrative duty, 84; his resignation, 85.
Novum Organum, the, of Bacon, 125.
Noy, William, proposes inquiry into conduct of referees for patents, 97; attorney-general, 173; proposes levy of ship-money, 178.
Nye, Philip, 290.

Oatlands, 328.
Oblivion, the act of, 382.
O'Cahan, Sir Donnell, 46, 47.
O'Connolly, Owen, 253.
O'Dogherty, Sir Cahir, 47.
O'Donnell, Rory, Earl of Tyrconnel, 47.
O'Donnell, Sir Niall Garv, 47.
Okey, Colonel John, 310.
Oldcorne, Father, 30.
Olivares, Count of, 104. 110, 112, 113.
O'Neill, Daniel, 246.
O'Neill, Hugh, 364, 365, 376.
O'Neill, Owen Roe, 253, 287, 326, 342, 357, 363.
O'Neill, Sir Phelim, a leader in the Irish rebellion, 252.
Orinoco, river, 81.
Ormond, James Butler, Earl of, is instructed by Charles I. to seize Dublin Castle, 252; created a marquis and appointed commander of royal forces in Ireland, 287; empowered to negotiate with the Irish, 288; appointed lord-lieutenant and empowered to resume the negotiation, 317; concludes a treaty with the Irish, 320; offers to surrender his fortresses to the English parliament, 326; lays down his office and leaves Ireland, 342; returns as lord-lieutenant, 343; union of parties under, 357; he invites Charles II. to Ireland, 358; threatens Dublin, but is defeated at Rathmines, 360; his weakness, 363; is deposed by the bishops and retires to France, 376; is sent to London by Charles II., 454; returns to Flanders, 455.
Overbury, Sir Thomas, 65, 66, 73.
Owen, John, Dr., 385.
Owen, Sir John, 354.
Oxford, Henry de Vere, Earl of, 102.
Oxford, the treaty of, 278; surrender of the city of, 324.

Packe, Sir Christopher, 444.
Paimboeuf, 380.
Panzani, Gregorio, 191.
Parliament, English, of 1604, 12; of 1614, 68; of 1621, 94; of 1624, 117; of 1625, 132; of 1626, 139; of 1628, 147; the short parliament, 216; the long parliament, 226; first expulsion of the long parliament, 397; the little or Barebone's parliament, 396; the first parliament of the protectorate, 424; the second parliament of the protectorate, 440; the third parliament of the protectorate, 465; restoration of the long parliament, 467; second expulsion of the long parliament, 471; second restoration of the long parliament, 474.
Parliament, Irish, of 1613, 86-87; of 1634, 195-196; of 1640, 215.
Parliament, Scottish, of 1606, 52; of 1612, 87; of 1633, 175; of 1639, 214.
Pastrana, Duke of, 113.
Paul V., Pope, 78.
Peacham, Edmund, case of, 70-71.
Pembroke Castle, 337.
Pendennis Castle, 277, 319.
Peneguaio, the Count of, 421.
Penn, William, admiral, 378, 431-432.
Pennine Hills, the, 297.
Penruddock, John, 428.
Percy, Henry, 237.

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Percy, Thomas, 25, 28, 29.
Perrot, Sir James, 104.
Perth, taken by Montrose, 314; by Cromwell, 373.
Petition and advice, the, amended version of address and remonstrance, 446; rejected by Cromwell and again amended, 447; accepted by Cromwell, 448.
Petition of Right, the, drawn up, 149; assented to by Charles, 151; doubtful construction placed on by the house of commons, 154.
Phelips, Sir Robert, 98, 104, 106, 132, 139.
Philip II., King of Spain, 21.
Philip III., King of Spain, his concern in the affairs of the empire, 91; orders Spinola to invade the Palatinate, 93; makes use of the marriage scheme to keep James neutral, 103; dies, 104.
Philip IV., King of Spain, accession of, 104; reception of Charles and Buckingham, 112-114; breaks off marriage treaty, 115; sends Rubens to negotiate with Charles I., 166; will not bind himself to Charles, 178; his relations with the commonwealth, 360, 387-388; with the protector, 422, 432-434; with Charles II., 387, 439.
Philiphaugh, rout of, 316.
Pierce Bridge, battle of, 277.
Plymouth, 81, 135, 284, 301; battle off, 393.
Plymouth Company, the, 49.
Poland, 435, 436, 452, 456.
Pollard, Hugh, 237.
Pontefract, 277.
Poole, 285.
Popham, Sir John, lord chief justice, 9, 49.
Porter, Endymion, 110, 111.
Portland, battle of, 394.
Porto Farina, action of, 433.
Portsmouth, 237, 239, 301.
Post-nati, the. See Calvin's case.
Powell, Vavasor, 409.
Powick Bridge, skirmish at, 274.
Poyer, John, colonel, raises revolt in Wales, 337.
Poynings' Act, repeal of, demanded, 288.
Poyntz, Sedenham, major-general, 312, 313.
Premonition to Monarchs, the, treatise by James, 4.
Press, restraints on the, 382-383.
Preston, battle of, 339-340.
Preston, Thomas, colonel, afterwards general, 287, 342.
Pride, Thomas, colonel, 345, 447.
Pride's Purge, 345.
Propositions of Newcastle, the, 324, 325.
Providence, island of, 388.
Prynne, William, author of *Histriomastix*, condemned in the Star Chamber, 187; condemned again for writing against the bishops, 188; released by the long parliament, 229.
Pularoon, island of, 389.
Puntal, fort of, 135, 136.
Pym, John, returned to parliament of 1621, 94; to parliament of 1625, 132; to the short parliament where he takes the lead of the commons, 216; denounces Strafford in the long parliament, 228; opens the impeachment against Strafford, 234; opposes the introduction of a bill of attainder, 238; suggests a general protestation, 240; supports the root and branch bill, 244; drafts the ten propositions, 246; promotes the grand remonstrance, 256; refuses the chancellorship of the exchequer, 259; impeached by Charles I., 259; proposes an excise, 284; dies, 292.

Quakers, the, 412.
Queensferry, South, 369.
Queensferry, North, 373.

Radcliffe, Sir George, 223, 224.
Raleigh, George, 81.
Raleigh, Sir Walter, dismissed from his places, 6; accused by Cobham of complicity in the Main plot, 8; condemned and reprieved, 9; released from the Tower, 79; allowed to make a voyage to South America, 80; his failure, 81; return to England and execution, 82.
Ranters, the, 385.
Rathmines, battle of, 360.
Reading taken by Essex, 280; reoccupied by Charles, 287; abandoned by Charles, 295; Fairfax at, 331.
Rebellion, Irish, of 1641, 253.
Reigate Castle, 338.
Remonstrance of the Army, the, 344.
Remonstrance, the Grand, 255-257.
Retz, De, coadjutor of Paris, 388.
Revocation, act of, Scottish, 174.
Reynolds, John, Dean of Lincoln, 10.
Reynolds, John, general, 451, 455.
Rhé, the Isle of, 144, 393.
Rhode Island, 379.
Richelieu, Cardinal, becomes chief minister of Louis XIII., 120; desirous to keep on good terms with Eng-

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land, 138, 143; his reception of Walter Montague, 158; makes a treaty with the Dutch for the partition of the Spanish Netherlands, 178; declines to interfere in the dispute between Charles and the Scots, 225.
Richmond and Lennox, James Stuart, Duke of, 331, 350.
Rigby, Alexander, besieges Lathom House, 297.
Rinuccini, Giovanni Battista, Archbishop of Fermo, papal nuncio in Ireland, 317, 320, 342, 357.
Robinson, John, 107.
Rochelle, 123, 138, 144, 145, 150, 157, 158, 407.
Rochester, Henry Wilmot, Earl of, 428.
Roeskilde, peace of, 456.
Rolle, Henry, chief justice, 429.
Rookwood, Ambrose, 27, 29, 30.
Roos, William Cecil, Lord, 84.
"Root and branch bill," 243, 244.
"Root and branch" petition, the, 231.
Rosny, Sieur de, sent by Henry IV. of France on an embassy to James, 6.
Rossetti, Count, 220, 246.
Rosslare Fort, 362.
Rothes, John Leslie, Earl of, takes part in revising the draft covenant, 207.
Roundway Down, battle of, 282.
Rouse, Francis, 400, 402.
Rovida, Alessandro, 21.
Rowton Heath, battle of, 313.
Roxburgh, Robert Ker, Earl of, 200.
Rubens, Peter Paul, 166.
Rudyard, Sir Benjamin, 104.
Rupert, Prince, taken prisoner by the imperialists, 225; joins Charles I., 268; is made general of the horse, 274; conduct at Edgehill, 275; storms Brentford, 276; sallies from Oxford, 280; takes Bristol, 283; conduct at first battle of Newbury, 286; relieves Newark, 295; relieves York, 297; is defeated at Marston Moor, 299; is appointed commander-in-chief, 302; is defeated at Naseby, 310; surrenders Bristol, and is disgraced by Charles, 312; takes command of the royal fleet, 343; goes to Kinsale, 357; is blockaded there by Blake, 360; escapes, 363; takes shelter in the Tagus, and afterwards at Toulon, 378; arrives in the West Indies, 380.
Rutland, George Manners, Earl of, 223.
Ruyter, De, 393, 405.

Sackville, Sir Edward, 99, 104.
Sa, Dom Pantaleon, 421, 424.
Saffron Walden, 327.
St. Alban's, 330, 344.
St. Andrews, 52, 87.
St. Fagan's, battle of, 337.
St. George's Chapel, Windsor, 350.
St. George's Hills, 355.
St. Kitt's, 379.
St. Jean de Luz, 468.
St. John, Oliver, counsel for Hampden, 183; returned to the short parliament, 216; his feelings after the dissolution, 218; appointed solicitor-general, 233; speaks for the attainder of Strafford, 239; a leader of the house of commons in the civil war, 293; chief justice and ambassador to the United Provinces, 390.
St. John, Sir Oliver, lord deputy in Ireland, 193.
St. John, Oliver, of Marlborough, 70.
St. Martin, town of, 144.
St. Mary Port, 135.
St. Neot's, 338.
St. Quentin, 451.
St. Venant, 451.
Salisbury, Earl of. See Cecil, Robert.
San Domingo, city of, 431.
Sandown Castle, 338, 341.
Sandys, Sir Edwin, 68, 70, 102, 119, 132.
San Lucar, 135.
Santa Cruz, battle of, 449.
Santa Cruz, island of, 388.
Santander, 113, 114.
San Thomé, 81.
Santiago de la Vega, 432.
Sarmiento, Don Diego, ambassador from Philip III. to James, 63, 70, 80, 82, 94, 108.
Savile, Sir William, 280.
Saye, William Fiennes Lord, refuses to pay ship-money, 183; refuses an oath tendered by Charles, 212; signs the petition for calling a parliament, 223; declines to sit in Cromwell's house of lords, 452.
Scarampi, Pietro Francesco, papal legate in Ireland, 288.
Scariffhollis, battle of, 376.
Schomberg, Marshal, 145.
Scilly Isles, the, 319, 377, 378.
Scot, Thomas, 425, 440, 453, 465, 474, 475.
Scotland, proposed union with England, 15; policy of James in, 51-52, 87-88; policy of Charles in, 174-175; his first visit to, 175-176; points of difference from England, 203-204; attempt to introduce the new liturgy into, 205; resistance of, 206-208; second visit of Charles to, 247-250; civil war in, 313-316; alienation from

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English parliament, 335; recognises Charles II., 358; conquered by Cromwell, 368-376; parliamentary union of, with England, 403; condition of, under English rule, 414-415.
Scrooby, village of, 107.
Seaforth, George Mackenzie, Earl of, 315.
Sedgwick, Robert, major, 422.
Selby, 295.
Selden, John, imprisoned, 102; returned to parliament of 1624, 117; of 1625, 132; author of the *Mare Clausum*, 179; votes against the attainder of Strafford, 238; introduces bills condemning ship-money, the distraint of knighthood and the enlargement of the forests, 242; his opinion concerning episcopacy, 244.
Self-denying ordinance, the first, 305; the second 307.
Sequestration of lands of royalists, 322, 430.
Service-book, the Scottish, 204-205.
Settlement, act of, for Ireland, 416.
Sexby, Edward, 388, 406, 444, 452.
Seymour, Sir Francis, 118, 134.
Seymour, William, marries Arabella Stuart, his imprisonment and escape, 57; Earl of Hertford, signs the petition for calling a parliament, 223; Marquis of Hertford, commands for Charles in the south-west, 277, 282.
Shaftesbury, 301.
Shakespeare, William, 125.
Sherborne Castle, 312.
Sherfield, Henry, case of, 173.
Ship-money, first writ of, issued, 178; second, 181; third, 182; fourth, 209; declared unlawful, 242.
Shirley, Sir Thomas, case of, 12.
Shrewsbury, 274, 297.
Sibthorpe, Dr. Robert, 153.
Sidney, Algernon, 460, 468.
Simpson, John, 409.
Sindercombe, Miles, 444.
Skippon, Philip, appointed to command the city militia, 263; surrenders at Lostwithiel, 300; major-general in the new model, 305; at Naseby, 310; appointed lieutenant-general of the Irish army, 327; sent to pacify the discontented soldiers, 328.
Slaney, river, 362.
Slingsby, Sir Henry, 455.
Smith, John, 50.
Somerset, Earl of. See Carr, Robert.
Southampton, Henry Wriothesley, Earl of, 5, 49, 102.
South Molton, 428.
Southwell, 321.
Southworth, John, 424.
Sparke, Thomas, 10.
Spencer, Henry Spencer, Lord, sent by Charles I. with a message to the parliament, 274; becomes Earl of Sunderland, and is killed in battle of Newbury, 286.
Speymouth, 367.
Spice Islands, the, 389.
Spinola, the Marquis, 78, 93, 123.
Spottiswode, John, Archbishop of Glasgow, and afterwards of St. Andrews, 52, 87, 175, 204, 206.
Stade, fortress of, 145, 150.
Stafford, Captain, 362.
Stamford, Henry Grey, Earl of, 279, 282.
Stapleton, Sir Philip, 247.
Star Chamber, the, 30, 70, 84, 142, 160, 169, 173, 187-190, 201, 242.
Start, the, 372.
Stayner, Captain, 438, 449.
Stirling, 315, 375.
Stowell, Sir John, 401.
Stow on the Wold, action of, 320.
Strachan, Archibald, colonel, 366, 372.
Strafford, Earl of. See Wentworth, Thomas.
Straiton, Sir Alexander, of Lauriston, 52.
Strath Fleet, 366.
Stratton, battle of, 282.
Strickland, Walter, 390.
Strode, William, imprisoned for acts done in the house of commons, 163; released, 215; brings in a bill for annual parliaments, 230.
Stuart, Arabella, cousin of James I., 7, 8, 56, 57.
Stuart, Elizabeth, 140.
Suckling, Sir John, 237.
Suffolk, Earl of. See Howard, Thomas.
Suffolk, Countess of, 84.
Supreme council, the (Irish), 287, 317, 326, 342.
Susa, the peace of, 166.
Sweden. See Gustavus Adolphus, Christina, Charles X.
Synott, Colonel, 362.

Tables, the, 206.
Tadcaster, battle of, 277.
Talbot, Colonel, 472.
Tanfield, Sir Lawrence, chief baron, joins in Coke's opinion regarding proclamations, 40.
Tate, Zouch, 305.
Taunton, 309, 311.
Teal, battle of the, 406.
Teme, river, 374.
Tenby Castle, 337.

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Texel, battle of the, 406.
Thame, 280.
Theobalds, mansion of, 5, 124.
Thomasson collection of pamphlets, 382.
"Thorough," the policy of, 177.
Thorpe, Francis, baron of the exchequer, 429.
Thurloe, John, 463, 465, 469.
Thurn, Count, 92.
Tilbury, Fort, 332.
Tilly, Count, 109, 143, 150.
Tippermuir, battle of, 314.
Titchfield, 334.
Titus, Captain, 452.
Toiras, Marshal, 144.
Tomlinson, Colonel, 400.
Tompkins, Nathaniel, 283.
Torrington, battle of, 319.
Tortuga, island of, 388.
Torwood, near Falkirk, 373.
Traquair, John Stuart, Lord, treasurer of Scotland, 206, 214.
Tresham, Francis, 27, 28, 30.
Tressilian Bridge, near Truro, 319.
Triennial Act, the, 233.
Triers, the, 410.
Trim, 288.
Triploe Heath, 330.
Tromp, Martin, destroys Spanish fleet in the Downs, 225; refuses to strike his flag to Blake, 391; gains the battle of Dungeness, 393; loses the battle of Portland, 394; and the battle of the Gabbard, 405; is killed in the battle of the Texel, 406.
True Law of Free Monarchies, the, political treatise of James I., 3.
Tuam, the Roman catholic archbishop of, 318.
Turner, Mrs., 66, 73.
Turnham Green, 276.
Twysden, Thomas, 429.
Tyrone, Hugh O'Neill, Earl of, submits to the Lord Deputy Mountjoy, 42; his disputes with his vassals, 46; flight from Ireland and death, 47.

Ulm, the treaty of, 93.
Ulster, plantation of, 46-48; rising in, 253-254; Scottish army in, 287; Scots in, submit to the commonwealth, 364.
Undertakers, the, 68, 94.
United Provinces, the, refuse the mediation of James I. in their war with Spain, 21; make a twelve years' truce with Spain, 53; intervene in the affair of Cleves and Juliers, 54, 78; redeem the cautionary towns, 79; conclude a defensive treaty with England, 121; join in the expedition to Cadiz, 134; make a treaty with France for the partition of the Spanish Netherlands, 178; their policy with regard to the commonwealth, 359, 390; causes of disagreement with, 389-391; peace with, 419.
Upper bench, court of, 354.
Upton, 374.
Urban VIII., Pope, 115, 191.
Ussher, James, Archbishop of Armagh, 197, 244, 411.
Uttoxeter, 340.
Uxbridge, the treaty of, 306-307.

Valentine, Benjamin, 160, 163, 215.
Vane, Sir Henry, the elder, sent as ambassador to Gustavus Adolphus, 167; made secretary of state, 215; his action in the house of commons, 17-218; advice as to the Scots, 219; a witness against Strafford, 235.
Vane, Sir Henry, the younger, his copy of notes taken by his father in council used against Strafford, 235; helps to originate the root and branch bill, 243; proposes to vest ecclesiastical jurisdiction in mixed body of clergymen and laymen, 244; appointed a commissioner to negotiate with the Scots, 289; a leader of the house of commons in the civil war, 293; his republican principles, 355; he protests against the expulsion of the long parliament, 397; refuses to sit in the little parliament, 396; imprisoned for a pamphlet, 440; returned to the parliament of 1659, 465; in the restored long parliament, 468; consents to act with the army, 471; in retirement, 475.
Van Galen, 393.
Vaudois, the persecution of, 434-435.
Venables, Robert, general, 431-432.
Vere, Sir Horace, 93.
Verney, Sir Edmund, the elder, 276.
Verney, Sir Edmund, the younger, 362.
Vieuville, La, Marquis of, 120.
Villa Mediana, Count of, 21.
Villiers, Sir Edward, 94, 96.
Villiers, George, introduced to James, 72; created Baron Whaddon and Viscount Villiers and Earl of Buckingham, 74; takes part with Raleigh's friends, 79; veers round to Spanish side, 83; created a marquis and overthrows the influence of the Howards, 84; appointed lord high admiral, 85; abandons the monopolists, 98; votes against Bacon's sentence, 100; gains influence over the Prince of Wales, 110; extorts the king's consent to

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their visit to Madrid, 111; offends the Spaniards, 113; is created Duke of Buckingham, 115; urges James to call a parliament, 116; brings about the impeachment of Middlesex, 118; distrusted by the house of commons, 134; sent by Charles as ambassador to the Hague, 137; attacked in the house of lords, 140; impeached, 141; his unsuccessful expedition to the Isle of Rhé, 144-145; again denounced in the house of commons, 151; murdered, 157.
Villiers, Sir John, 77.
Virginia, the colony of, 49-51, 379.
Visitation, Laud's metropolitical, 187.
Vlotho, battle of, 225.
Vowell, Peter, 423.

Waad, Sir William, 66.
Wagstaffe, Sir Joseph, 428.
Wakefield, 281.
Wakes, the Somerset, 186.
Waller, Edmund, 283, 284.
Waller, Sir William, defeated at Lansdown, 282; at Roundway Down, 283; entrusted with defence of home counties, 284; gains battle of Cheriton, 295; defeated at Cropredy Bridge, 296; joins Manchester, 301; his charges against Manchester, 305; resigns his command, 307; is accused by the army, 330.
Wallingford House, 464, 470.
Wallingford, William Knollys, Viscount, 84.
Walmer Castle, 338.
Walton, Valentine, 473.
Wandesford, Christopher, 196, 252.
Warner, Thomas, 379.
Warrington, 340, 374, 469.
Warwick, 270, 374.
Warwick, Robert Rich, Earl of, 223, 273, 275, 307.
Waterford, 193, 363, 376.
Watson, William, 7, 9.
Wentworth, Sir Peter, 397.
Wentworth, Thomas, returned to parliament of 1614, 68; in parliament of 1621, 104; of 1625, 132; of 1628, 148-150; makes his peace with the king, and is created Viscount Wentworth and President of the Council of the North, 155; his administration there, 168-169; Lord Deputy of Ireland, 194-199; advises the king to call a parliament, 214; created Earl of Strafford and lord lieutenant of Ireland, 215; his advice to the king, 219; impeached in the long parliament, 228; bill of attainder brought in against, 238; execution of, 241.
Westminster confession, the, 385.
Westphalia, treaties of, 359, 420.
Weston, Richard, 66, 73.
Weston, Sir Richard, chancellor of the exchequer, 132; made treasurer and created Earl of Portland, 165; dies, 180.
Weston, Thomas, 107, 108.
Wetherby, 339.
Wexford, plantation in county of, 48.
Wexford stormed by Cromwell, 362.
Weymouth, 300, 301.
Whalley, Edward, colonel, 329, 356, 430.
Wharton, Philip, Lord, 452.
Wheatley, 280.
Whetham, Colonel, 473.
White, Francis, lieutenant-colonel, 402.
Whitecoats, the, 299.
Whitelocke, Bulstrode, chairman of the committee for preparing the articles against Strafford, 236; appointed a commissioner of the great seal, 253; his conversation with Cromwell, 396; appointed ambassador to Sweden, 410; action after Richard Cromwell's abdication, 471, 474.
Whitelocke, James, 40, 66-67.
White Mountain, the, battle of, 93.
Whitgift, John, Archbishop of Canterbury, 10, 11.
Widdrington, Sir Thomas, 353.
Wigan, 340.
Wightman, Edward, 62.
William II., Prince of Orange, 232, 359, 390.
William III., Prince of Orange, 406, 419, 420.
Williams, John, Dean of Westminster, advises Buckingham not to defend monopolies, 98; is made Bishop of Lincoln and lord keeper, 102; deprived of the great seal and forbidden to take his seat in the house of lords, 147; restored to favour, 155; his enmity with Laud, 170; opposes the metropolitical visitation, 187; prosecuted in the Star Chamber, 190; his scheme of Church government, 244; appointed Archbishop of York, 251; impeached, 259.
Willoughby of Parham, Lord, 281, 379, 380.
Wilmot, Henry, 237, 275, 285.
Wilson, Sir Thomas, 82.
Winceby, action at, 290.
Windebank, Sir Francis, appointed secretary of state, 177; his catholic

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sympathies, 191; called to account by the long parliament, he takes refuge in France, 229.
Windham, Wadham, 429.
Winnington Bridge, 469.
Winram, George, 365.
Winter, Thomas, 25, 29, 30.
Winwick, 340.
Winwood, Sir Ralph, 68, 73, 79, 83.
Witt, John de, 405, 420.
Wolseley, Sir Charles, 402.
Woodstock, 296.
Worcester occupied by the royalists and abandoned, 274; reoccupied, 276; Charles I. retreats to, 296; battle of, 374, 375.
Wren, Matthew, Bishop of Norwich, impeached, 247.
Wright, Christopher, 26, 29.
Wright, John, 25, 29.

Xanten, the treaty of, 78.

Yelverton, Sir Henry, 40, 76.
York, city of, Charles at, in 1640, 222; great council at, 224; Charles at, in 1642, 265; blockaded by Lord Fairfax and relieved by Newcastle, 277; besieged by parliamentary and Scottish forces, 295; relieved by Rupert, 297; surrender of, 299; Monk at, 747.
Youghal, 363.
Ypres, 456.

Zouch, Edward la Zouch, Lord, 73.
Zuazo, bridge of, 135.

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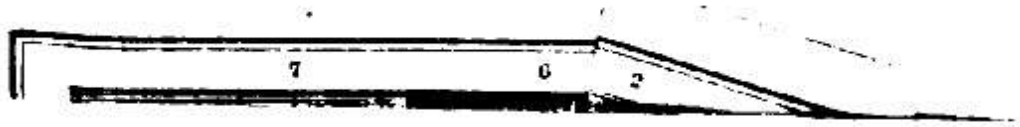

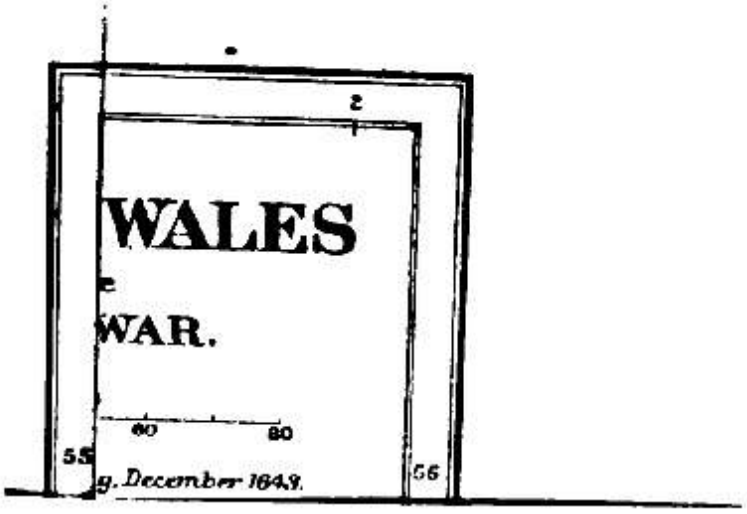

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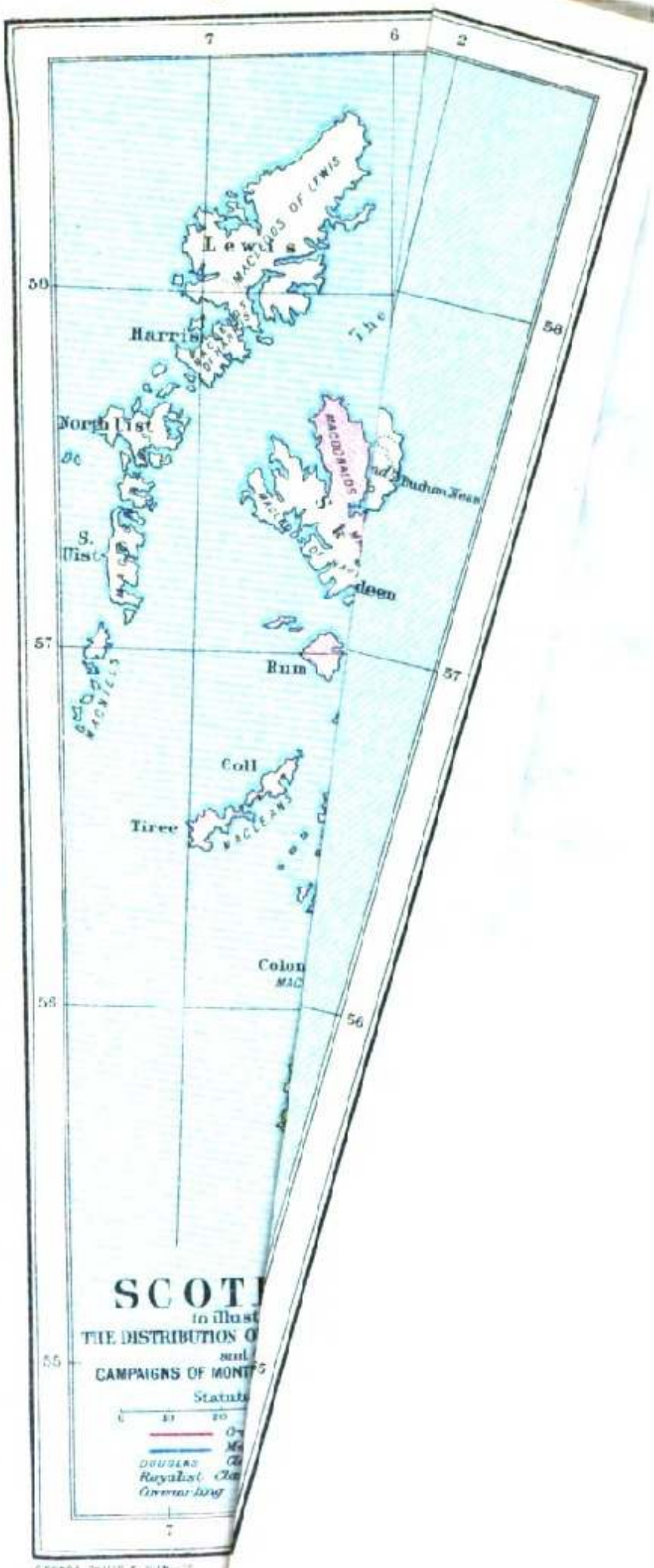

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